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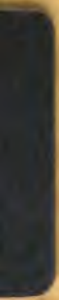
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Southwestern historical quarterly

# THE QUARTERLY

OF THE

# TEXAS STATE HISTORICAL ASSOCIATION

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*Organized March 2, 1897.*

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# THE QUARTERLY

OF THE

TEXAS STATE HISTORICAL ASSOCIATION.

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No. 1.

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## THE MEJÍA EXPEDITION.

F. H. TURNER.

### *Introduction.*

The Mejía Expedition extended over a period of not more than thirty or forty days during the summer months of 1832. However, in the consideration of this important affair, it will be necessary not only to relate the happenings during the course of it, but also to take note of the preceding incidents in Mexico which constituted the occasion. Nor would the subject be complete without a statement of the purpose for which Mejía left Tampico, and without an account of the results which he accomplished. Hence, my object will be to set forth as thorough and exhaustive an explanation of all these matters as, within the limits of this paper, is possible.

---

The causes, which in the end brought about the Plan of Vera Cruz and the Mejía Expedition, began operating, it may be said, precisely on the first day of January, 1830. On that day, Bustamante, the vice-president of the Mexican Republic, assumed executive control, and a short time afterwards, having selected his ministry, he inaugurated one of the most despotic administrations that Mexico has ever seen. Congress was forced to legalize the revolu-

tion by which he had gained supreme sovereignty over the state. The power thus attained was used to persecute the adherents of the "yorkino or popular party," to abridge the freedom of the press, and to contaminate the courts of justice and equity. Under such circumstances the people became restless, and frequent insurrections broke out in various parts of the federation which were as often crushed by the arms of Bustamante.<sup>1</sup>

The Houses, during the session of 1831-1832, were the mere tools of Bustamante and his cabinet. They even went so far as to establish "special courts to terrorize those discontented with the existing order of things, giving the government almost unlimited powers, decreeing proscriptions, and rewarding crime. It [the Congress] permitted the executive, without protest, to modify or construe the laws at will."<sup>2</sup>

Such was the status of the Mexican government when the command stationed at Vera Cruz, unable longer to stand the arbitrary acts of the existing government, published the Plan of Vera Cruz, on the night of January 2, 1832. On the invitation of Ciriaco Vasquez, commandant general of Vera Cruz, the officers of that force met, and, fearing that civil war was imminent and desiring to avoid this grave calamity, adopted the following resolutions, which were collectively known as the Plan of Vera Cruz:—

"Art. 1. The garrison of Vera Cruz renews the declarations made by the *plan of Jalapa*, to resolutely sustain its oath to preserve the federal constitution and the laws.

"Art. 2. It beseeches the vice-president to dismiss the ministry, whom public opinion accuses of promoting and protecting centralism, and of tolerating abuses against civil liberty and individual rights.

"Art. 3. Two officers of this garrison will be commissioned to present this proclamation to General Don Antonio Lopez de Santa Anna, and to petition his honor to accept it and condescend to come to this place and take command of the troops.

"Art. 4. In such case, the garrison will abstain from directing any procedure and from taking final steps in this affair, since General Santa Anna will send this act, and the declarations which he judges convenient, to the Vice-President and to the other authori-

<sup>1</sup>Bancroft, *History of Mexico*, V 102-103.

<sup>2</sup>*Ibid.*, 104.

ties of the federation and the states, dictating the other measures which may be opportune for carrying out the noble aims of those who may join us."<sup>1</sup>

Santa Anna was not slow to recognize his constituents in Vera Cruz, and on the afternoon of the 3d he arrived in that city, where he "was received with shouts by the troops of the garrison and a portion of the people."<sup>2</sup>

The Plan of Vera Cruz and its adoption by Santa Anna aroused no little uneasiness at the capital, and when the general addressed a communication to Bustamante expressing his desire to see the peaceable dissolution of the cabinet, the crisis came. The ministers surrendered their portfolios, but congress would not countenance their resignations. Hence, the only alternative left to the government was to attempt to stifle the incipient rebellion. This it did, and the opposition met with several reverses during the months of January and February, 1832.<sup>3</sup>

The Mexican nation at first exhibited some hesitancy in acquiescing in the "plan," but with the beginning of spring the standard of insurrection was floated at various places. Fernandez, the ex-governor of Tamaulipas, declared his adhesion to the party at Vera Cruz. General Moctezuma, the commandant at Tampico, "coinciding with this step, issued a proclamation in the city of Tampico on the 20th [March], placing himself at the disposal of General Santa Anna."<sup>4</sup>

A struggle for supremacy at once began in the quarter where the revolutionary ideas had gained a fast hold between the followers of absolutism on the one hand and the supporters of liberalism on the other. Moctezuma was besieged by General Mier y Terán, the principal commandant of the Eastern States. Later Terán drew his battalions away, and began recruiting and strengthening his lines. This threatening attitude led the commandant of Tampico to believe that Terán was preparing for a second and fiercer attack on his charge.

<sup>1</sup>Miguel M. Lerdo, *Apuntes Históricos de Vera Cruz*, II 363-364, notes (Translation).

<sup>2</sup>Ibid., 365.

<sup>3</sup>Bancroft, *History of Mexico*, V 107 et seq.

<sup>4</sup>Juan Suarez y Navarro, *Historia de Mexico y del General Santa Anna* (cited in further notes as *Historia de Mexico*) 282.

The foregoing summary furnishes an outline of Mexican history from 1830 to 1832, and also gives the cause for the declaration of the plan of Vera Cruz and, hence, the ultimate reason, as we shall see forthwith, for the Mejía expedition. This brings us to the next phase of our subject, which is the true starting point of this paper.

---

#### I. THE EXPEDITION AGAINST MATAMOROS.

Col. José Antonio Mejía, of the Mexican army, had, some time during the spring of 1832, placed himself and his entire force under Moctezuma's orders. Laboring under the impression that Tampico would be assailed, as noted above, General Moctezuma ordered this officer to sail against Soto la Marina and Matamoros, which strongholds were defended by the "ministerial" troops, in order to attract Terán's attention thither.<sup>1</sup> In accordance with these instructions, Mejía passed out of the harbor of Tampico on the 22d of June, 1832,<sup>2</sup> with a fleet "composed of a brig, two schooners, and two other small ships,"<sup>3</sup> having on board some three hundred soldiers.<sup>4</sup> Mejía's first point of assault was Soto la Marina, but Sergeant Major Micheltorena had thrown up fortifications along the strand, and, in this way, baffled the commander of the expedition. Thus the squadron was compelled to proceed to Matamoros, or rather, Brazos de Santiago,<sup>5</sup> where it anchored at

<sup>1</sup>Filisola, *Memorias para la Historia de la Guerra de Tejas* (ed. 1848, cited in further notes as *Memorias*), I 254-255; Suarez y Navarro, *Historia de Mexico*, 314. Filisola mentions only Soto la Marina, but Suarez y Navarro adds Matamoros. From the account of what followed we may be sure that Mejía's intention was to fall upon both places. See further the *Texas Gazette* (published at Brazoria), July 23, 1832.

<sup>2</sup>*Texas Gazette*, July 23, 1832.

<sup>3</sup>Guerra to principal Commandant of Coahuila and Texas, July 16, 1832. Nacogdoches Archives. These five vessels were "the Brig of War Santa Anna, and the armed schooners Moctezuma of Vera Cruz, Moctezuma of Tampico, Adela, and America." See translated extract from the *Matamoros Boletín* in *Texas Gazette*, July 23, 1832.

<sup>4</sup>Austin to Perry, June 29, 1832, and Austin to Ugartechea, July 2, 1832, Austin Papers. Filisola says: "two hundred and fifty or three hundred infantry of the citizen soldiery and some regulars." *Memorias*, I 225.

<sup>5</sup>Filisola, *Memorias*, I 226.



four o'clock in the afternoon, June 26, 1832.<sup>1</sup> Lieut. Col. Alexander Yhari, with a considerable number of men prepared to oppose the debarkation of the Santa Anna soldiers, "but the brave chief of the detachment of the Liberating Army," says the *Boletín*, "advanced in a pilot boat, took the schooner Juanita, anchored within Pistol shot of the point occupied by Yhari, and covered the landing of his troops from the launches. As soon as the landing was effected, Yhari was invited to pronounce for Santa Anna, which he refused to do, but his troops immediately proclaimed the plan of the *free*, and with enthusiasm joined their Standard."<sup>2</sup> "Immediately after taking possession of the Brazos Santiago," continues the *Boletín*, "a party of one hundred infantry with two pieces of artillery, marched to Boca Chica, where they raised an intrenchment.<sup>3</sup> On the 27th, the force was augmented by a number of the military and citizens who hastened with delight to sustain the cause of the *free*, or perish in the attempt.

"On the 28th a party of 54 or 60 cavalry were discovered approaching,<sup>4</sup> and it was the desire of the commander in chief not to injure them, altho' he knew the obstinacy of the officer, Don Ignacio Rodriguez, who commanded them and who retired with his troops and occupied a position on the main road." Lieutenant Gonzales then took the leadership of Rodriguez' men and "joined the lines of Colonel Mejía. At the same time a party of 40 infantry of the 11th battalion also joined Colonel Mejía's division."<sup>5</sup>

<sup>1</sup>Extract from *Matamoras Boletín* in *Texas Gazette*, July 23, 1832. Austin, writing to Ugartechea from Matamoras, July 2, 1832, says that Mejía "disembarked in the Brazo on the 25th." Suarez y Navarro (*Historia de Mexico*, 314) also says that he landed on the 25th. I have followed the newspaper statement, as probably more accurate.

<sup>2</sup>The *Boletín* states that Yhari had four hundred men in his guard. Filisola (*Memorias*, I 226) says that Yhari was taken prisoner together with three or four men who had served him.

<sup>3</sup>Filisola (*Memorias*, I 226) says that Mejía went to Boca Chica with his whole force.

<sup>4</sup>Filisola's statement (*Memorias*, I 227) is as follows (translation): "At dawn Mejía put his lines in motion, and pushed onward. Nearing la Burrita he descried a body of 70 or 80 cavalry drawn up in battle array."

<sup>5</sup>Filisola (*Memorias*, I 228) writes that fifteen recruits of the eleventh battalion of the twelfth infantry incorporated themselves in Mejía's ranks. Thus, setting aside as gross exaggeration the statement made by the *Boletín*

With his original companies and with those of the Bustamante party who had declared for Santa Anna, Mejía made his triumphal entry into Matamoras, June 29, without any resistance,<sup>1</sup> either on the side of the citizens, or on that of the hostile soldiery. The *Boletín* notes that "Colonel Mejía's division of the liberating army is therefore in full possession of this town, increased by a great number who have joined it. The utmost tranquillity prevails; the inhabitants are tranquil, because they now see the falsehood of what has been stated by the enemies of the cause which was proclaimed by the heroic conqueror of Tampico, Genl. Antonio Lopez de Santa Anna."<sup>2</sup>

Prior to Mejía's capture of Matamoras, Colonel José Mariano Guerra, the "ministerial" commandant of that place, retired to San Fernando de Presas with about seventy of his presidials.<sup>3</sup> Here Guerra obstinately remained, drilling and equipping his men, and preparing to defend himself to the last extremity should he be attacked by Santa Anna's adherents. Nor at first would he consent to an interview with Mejía, although the latter expressed this desire time and again. Finally, however, on July 4, Guerra received an express from Colonel Mejía, stating that the Texas colonists had stormed Fort Velasco, and that Colonel Ugartechea had been forced to capitulate. Moreover, Mejía added that they should drop their enmity for the present and coöperate to save

that Yhari had four hundred soldiers and accepting Filisola's account of three or four, we may be able to reconcile the discrepancies and get at the number of men who actually went over to Mejía. Filisola says that eighty in one group and fifteen in another allied themselves with him at la Burrita, while the *Boletín* makes these groups respectively sixty and forty. Hence, practically one hundred men were added to Mejía's forces while at and around Matamoras.

<sup>1</sup>Austin to Ugartechea, July 2, 1832 (Austin Papers); Filisola *Memorias*, I 228. Austin writes that Mejía "took possession of this city on the 28th the slightest disorder or confusion not having arisen."

<sup>2</sup>*Texas Gazette*, July 23, 1832.

<sup>3</sup>Guerra made this move at 6 P. M., June 28. (Filisola, *Memorias*, I 247.) The statement of the *Boletín* as translated for the *Texas Gazette* is that "Col. Guerra with the troops in this town, Lojexo and others well known for their anti-liberal principles precipitately fled, giving the most barbarous orders to his troops, such as to bayonet the pack mules loaded with baggage and ammunition, should they be overtaken." (See also Austin to Ugartechea, July 2, 1832. Austin Papers.)

Texas for the Mexican confederation.<sup>1</sup> On the following day, July 5, the "ministerial" commandant, who had been expecting Col. Paredes y Arrillaga to come to his aid with three hundred men, was informed that, on account of Terán's death, he (Paredes) could not move his division until new orders were transmitted from Commandant Don Ignacio Mora. Then Guerra made the best of his opportunities by signifying his acquiescence in Mejía's proposed meeting. Thus at 4:30 P. M., July 6, the two colonels met at Palo Blanco and agreed to a convention, which may be summarized as follows:

The compact recounted that Colonel Mejía, being in possession of Matamoros and consequently of all branches of the administration, had intercepted various letters from Fort Velasco and other Texas points addressed to the commandant of that place, and that by these communications he had been informed that the Texas colonies were in rebellion and threatened to attack Anahuac and Velasco. This attitude of the Anglo-Americans endangered the integrity of the Mexican territory, and hence it was highly essential that the Mexican forces should attempt to defend the colonies. Mejía had therefore desired, at any rate, to impart the news of the recent events in Texas to Guerra, and with this aim in view he had invited the latter to an interview.

By the articles which succeeded this review of the late occurrences it was agreed (Art. 1) that Mejía should proceed to Texas for the purpose of succoring the Mexican military, and preserving the integrity of the national domain. Moreover, (Art. 2) Guerra pledged himself to aid Mejía in this undertaking with all his resources and to force all the authorities of Matamoros to do likewise. Mejía promised (Art. 3) to leave immediately for the Texas ports. It was specified (Art. 4) that there should be an armistice between the contending partisans. Further, (Art. 5) there was a provision that the persons, property, and rights of the citizens of Matamoros and its environs, whether of one party or the other, should be equally guaranteed and respected. Again (Art. 6), should Mejía see fit to put into the Brazo on his return from

<sup>1</sup>Mejía had overhauled a mail packet from Brazoria and had discovered thereon some letters from Colonel Ugartechea to Guerra from which he learned of the events in Texas. (Filisola, *Memorias*, I 247-248; Guerra to commander in chief of Coahuila and Texas, July 16, 1832. Nacogdoches Archives, box 1, no. 6.)

the colonies, it was declared that his right to do so would not be questioned, and that Guerra should give him any assistance needed. Finally, (Art. 7) it was said that the two colonels would decide as to what should be done with the prisoners *et cetera* in Matamoros which had been seized by Mejía.<sup>1</sup>

For the better understanding of the expedition which followed it will be worth while to depart from the thread of the story at this point, and take cognizance of the trend of events in Texas for the two years previous to 1832.

---

## II. EVENTS IN TEXAS LEADING UP TO THE EXPEDITION.

Anglo-Americans from the United States were invited by the Mexican colonization laws to come to a land blessed with all human requirements, rich and free, the beautiful province of Texas. They from the North were offered broad domains and equal rights with the native Mexicans, if they would swear allegiance to the flag of their benefactor, and accept, or adhere to, the Catholic creed. Many of our ancestors took advantage of this Latin liberality, and during the years from 1825 to 1830 pioneers flocked to the future "Lone Star State."

At length the Mexican government determined to check the influx of these immigrants into Texas. The effort was made in the enactment by the general Mexican congress of the decree of April 6, 1830. The motive for the passage of this decree was that the Mexicans were jealous of the growing power and influence of the Texas colonists, and they feared that the Texans would join hands with their countrymen in the United States with the object of annexing Texas to the republic of the North. Hence, it was extremely necessary that Texas should be severed entirely from Northern tutelage, and such a law as that of April 6, 1830, was thought to be the only true way to attain the cherished end. Article eleven of this act was intended to prevent further settlement within the Texas borders by immigrants from the United States. Perhaps this section would not have had its immense significance to the colonists, if the law had not at the same time provided the means of its enforcement. By article four the Mexican executive

<sup>1</sup>Filisola, *Memorias*, I 256-259.

was empowered to seize those lands which he might deem suitable for fortifications and arsenals. Moreover, in clause fourteen, the president was given leave to expend as much as five hundred thousand dollars in the construction of forts and posts along the Texas frontiers.<sup>1</sup>

Soon after the decree of April 6 was published, in accordance with the articles cited above, General Mier y Terán, the principal commandant of the Eastern States, erected fortresses at Anahuac, Velasco, Nacogdoches, Tenoxtitlán, and elsewhere, and garrisoned them with the lowest types of Mexican soldiery under the command, in some instances, of exceedingly insolent officers. For at least two years the colonists lived under the hated rule of this despotic Mexican military, which set at naught alike the civil jurisdiction of the State of Coahuila and Texas and the individual rights of the citizens. The Texans were seriously offended by the conduct of the authorities, and they accordingly enumerated their grievances as follows:

"1. Don José Francisco Madero was appointed, in 1832, by Coahuila-Texas its commissioner to survey the lands in the District of Nacogdoches, east of the San Jacinto, and to grant land-titles to the inhabitants of that community. He arrived in Jan., 1831, and had progressed some with his duties, when he and his surveyor, José Maria Carbajal, were arrested by the commandant of Anahuac, J. D. Bradburn, because the aforesaid surveyors were operating in opposition to the edict of April 6, 1830.

"2. On Dec. 10, 1831, Bradburn annulled the Ayuntamiento of Liberty, legally established by Madero, and set up one of his own at Anahuac.

"3. Bradburn appropriated lands to his especial benefit without having the proper authority for so doing.

"4. This same officer prohibited the holding of an election for choosing the Alcalde of Liberty and the members of the Ayuntamiento, and threatened the people with military force if they attempted this.

"5. Peaceable and quiet citizens were taken into custody, because they expressed their opinions concerning Bradburn's illegal acts.

<sup>1</sup>Mexico had reserved, by Art. 5 of the national colonization law of Aug. 18, 1824, the right to establish arsenals in Texas. (*Oldham and White's Digest, Laws of Texas*, 761-763.)

"6. Bradburn had induced servants to quit their masters, offering them protection, and, when called upon by the owners to deliver them up, had enlisted them into his rank and file.

"7. In the month of May, 1832, seven of the leading citizens were apprehended by Bradburn, who, on being asked to give the prisoners over to the civil magistrates, declared that he would send all of them to Mexico to be tried by a Military Tribunal."<sup>1</sup>

This last arbitrary step brought the matter to a point and the wronged colonists about Bradburn's ears. Feeling that they had been unjustly abused the residents of this province were not long in coming to the conclusion that the best and only way to procure their rights and liberties was by force of arms. About the first of June, 1832, Anahuac was therefore assailed by a party of Anglo-Americans. Some days later the colonists stirred up trouble with Colonel Ugartechea, at Fort Velasco, because he would not permit the passage of the schooner *Brazoria*, which had on board some cannon that the insurgents were anxious to use in the reduction of Anahuac. After a battle of eleven hours, Commandant Ugartechea ran up the white flag. Immediately thereafter he wrote to Guerra concerning his plight, and it was these letters which Mejía intercepted, which he transmitted to Guerra on July 4, and which brought about the interview between the two on July 6, 1832.<sup>2</sup>

However, before returning to Matamoros and Mejía, attention must be called to the fact that not all of Texas even tacitly sanctioned the events at Anahuac and Velasco. Indeed, so far were they from being enthusiastic over the deeds of their fellow-citizens, that the people of San Felipe and Matagorda cried out in a way that was very injurious to the cause of the insurgents.

The action taken by the townsmen of San Felipe clearly shows the existence of a conservative spirit. Acquainting themselves with the character of the late disturbances and the critical situation in Austin's colony, the *ayuntamiento*, together with seventy representative residents of San Felipe, assembled on June 25, 1832, and

<sup>1</sup>*Texas Gazette*, July 23, 1832; Mrs. Holley, *Texas* (1833), 146-149.

<sup>2</sup>For a more detailed account of these events see the article, *The Disturbances at Anahuac in 1832*, in the last number of this magazine.—EDITOR QUARTERLY.

in a series of resolutions<sup>1</sup> they declared themselves, in a most decided fashion, as opposed to the "precipitate steps recently taken at Anahuac and Brazoria."<sup>2</sup> The meeting prayed that all who had become entangled in the troubles should return to their homes, and that an investigation should be made of the conduct of Bradburn. In the sixth resolution it is stated that the convention would resent any attempts against the government to which all had sworn obedience, and which had heaped upon them with a beneficent and liberal hand favors and acts of kindness. The inhabitants, moreover, expressed their desire of coöperating with the political chief in reëstablishing order and tranquillity in their department. Finally, the colonists invited the districts of the municipality of San Felipe to join with them.

Again, on June 30, came an urgent appeal from the "peace party" to the colonists to save their adopted country from its impending ruin. In an address of the given date from the *ayuntamiento* of San Felipe to the public, that body exhorted all true men to support the Mexican laws and the constitution. "Act now in your movements promptly and rapidly," wrote the council, "and unite heartily with us in order to save the colony and other fellow-countrymen from the destruction which threatens them, so that our sons in future centuries may have the happiness of counting their ancestors as among the number of those who, in the year 1832, saved the municipality of the town of San Felipe from the terrible effects of anarchy and confusion, and the consequent annihilation with which these two menaced it."<sup>3</sup>

In pursuance of the San Felipe declarations, which besought the aid of the districts of the municipality of San Felipe, the residents of Matagorda convened on July 2, 1832, and proclaimed themselves in favor of the government and the constitution of the United Mexican States. They deeply deplored the untimely affairs at Anahuac and Brazoria, and promised the political chief their moral support in the forthcoming investigation of these occurrences.<sup>4</sup>

<sup>1</sup>Preserved in the Nacogdoches Archives, box 2, no. 104.

<sup>2</sup>Brazoria was the Anglo-American settlement on the Brazos just above Velasco and was the center of insurrection in that quarter.

<sup>3</sup>Translated from the address in the Nacogdoches Archives, box 2, no. 92.

<sup>4</sup>Diplomatic Correspondence, Texas Archives, Department of State, box 13, no. 1238.

With this evidence that there was, previous to Mejía's coming, a sharply defined division in political sentiment in Texas, the reader is prepared to follow the narrative of the expedition from Matamoros.

### III. THE TEXAS EXPEDITION.

After the conference with Guerra, Colonel Mejía returned from Palo Blanco to Matamoros, and made preparations to reëmbark his troops. On the 8th of July he left the latter place and marched toward Brazos Santiago with his whole force, now composed of about four hundred soldiers. The embarkation took place on the 10th, and Filisola says that the expedition sailed on that day to Tampico, it being Mejía's aim to rejoin there the cavalry which he had dispatched overland.<sup>1</sup> Suarez y Navarro gives the same time for the departure of Mejía from Brazo. He writes that "having provided all that was necessary, he set sail on the 10th of July for Tampico, with the object of joining General Moctezuma," but as the general had gone to San Luis, Mejía failed to see him.<sup>2</sup> Austin wrote from Matamoros on the 9th that Mejía would leave on the 10th, but for Texas.<sup>3</sup>

There is, however, sufficient evidence to prove that Mejía's squadron quitted Brazos Santiago on July 14, 1832. It is a well-established fact that the expedition arrived off the mouth of the Brazos River on the 16th, and Mejía's own words show that he must have gone out from the Brazo July 4, late in the evening. He tells us: "I sailed from Matamoros with the Fleet and forces under my command, and in forty hours anchored off the Bar of this river."<sup>4</sup>

If, then, Mejía did start to Texas on July 14th, and there seems no way of denying it, we must, nevertheless, attempt to explain the date of the 10th of July, as the time of his sailing. The only solution for the problem is that he left Brazos Santiago twice—once on the 10th, and again on the 14th. As Suarez y Navarro

<sup>1</sup>*Memorias*, I 261.

<sup>2</sup>*Historia de Mexico*, 316.

<sup>3</sup>Austin to governor of Coahuila-Texas, July 9, 1832. Austin Papers.

<sup>4</sup>*Texas Gazette*, July 23, 1832; Mora to Elosua, same date (Nacogdoches Archives, box 1, no. 8).



says, Mejía went to Tampico on the 10th, and, not finding Moctezuma there, he immediately came back to the Brazo. Then on the 14th he passed out of the Matamoros port for the second time, and made his way to Texas.<sup>1</sup>

Prior, however, to the Texas expedition, Mejía and Guerra, had urged Col. S. F. Austin, who was at Matamoros on his way home from the State legislature, to accompany the troops to Texas. This Austin consented to do, in order that he might contribute whatever service he could to his adopted country. He says in a letter to Colonel Mejía:—"I must say I am satisfied that there are no views among the colonists of Texas which endanger the integrity of the Mexican territory, and that the disturbances there have resulted from the arbitrary acts of the Military officials of the General Government. . . . Notwithstanding, I believe it of the highest importance to go to Texas for the purpose of calming the tumults and reestablishing harmony."<sup>2</sup>

Austin's presence on the expedition perhaps obviated much trouble and many inconveniences between Mejía and the colonists, and for this reason it has been considered essential to dwell at some length upon his connection with the Texas voyage.

At six o'clock in the afternoon of July 16, the flotilla reached the mouth of the Brazos River, and, after having exchanged communications with John Austin, the second alcalde, Mejía and Austin proceeded to Brazoria.<sup>3</sup> The people of the precinct had previously appointed a deputation to wait upon the two gentlemen, and "on their arrival on the east bank of the Brazos, they were saluted with the firing of 3 cannon,—and after partaking of some refreshments, at Major Brigham's, crossed the river, at the bank of which they

<sup>1</sup>It is about the same distance from Brazos Santiago to Tampico as it is from the former to Velasco. Hence, if Mejía completed the journey from Brazos Santiago to Velasco in forty hours, it is reasonable to suppose that he could have gone to Tampico in the same length of time. This would have given him ample opportunity to make the round trip to Tampico with some hours to spare within the four days limit.

<sup>2</sup>Guerra to Austin, July 7, 1832; Mejía to Austin, July 8, 1832; Austin to Mejía, July 9, 1832 (translation of copy). Nacogdoches Archives, box 2, no. 80. Also Austin to Guerra, July 10, 1832 (translation of copy). Nacogdoches Archives, box 1, no. 19.

<sup>3</sup>Austin to Ramón Musquiz, July 18, 1832. Nacogdoches Archives, box 1, no. 5.

were received by the committee and by two of the signers of the Turtle Bayou resolutions<sup>1</sup> who were present (Capt. Wiley Martin, and Luke Lessasier),—conducted to a pavillion erected for the purpose, and saluted by one gun." Speeches followed. "After which a further salute of 21 guns, a *feu de joy*, from one of the companies who were in the action at Fort Velasco, were fired, when the Colonels were escorted to the residence of *John Austin Esq. 2nd Alcalde*, by a numerous body of our citizens who, on returning to town, manifested their joyful feelings by *illuminations, bon-fires, firing of cannon, &c*, all the night."<sup>2</sup>

The next day at three o'clock a meeting of the townsmen of Brazoria was held for the purpose of explaining the causes of the "late disturbances" in Texas. The remaining days of the week were spent in gigantic preparations for a "public dinner and ball" to the eminent visitors. We are told that "last evening (Sunday, July 22) a splendid dinner and ball were given at Brazoria in celebration of the constitution, and in honor of its distinguished advocate, Genl. Santa Anna; at which Col. José Antonio Mexia, and Col. S. F. Austin, were invited guests.

"The dinner party was such as an occasion of patriotic rejoicing should always produce—it was large, cheerful, and convivial; and full of republican feeling and generous enthusiasm." Toasts to the health of General Santa Anna, to the separation of Coahuila and Texas, and sundry others were heartily responded to by all.<sup>3</sup>

Colonel Mejía had remained in Brazoria for six days and had been convinced, we may be sure, of the loyalty of the colonists in that section, when he decided to continue his expedition to Galveston with the object of bringing the Anahuac garrison over to his standard. Thus "on the afternoon of the 23rd Col. Mexia, having regulated the custom-house department, and other public matters, at Brazoria, in the most satisfactory and harmonious manner, departed to embark for Galveston and Anahuac".<sup>4</sup> Granting that the ships did not leave Velasco before the morning of the 24th—for some time must be allowed for the trip from Brazoria down and

<sup>1</sup>See under IV below.

<sup>2</sup>*Texas Gazette*, July 23, 1832.

<sup>3</sup>*Ibid.*

<sup>4</sup>Mrs. Holley, *Texas* (1833), 142.

for the arrangements to make sail—the conclusion is reached that on that same day, the 24th, Mejía arrived in Galveston Bay.<sup>1</sup> On crossing the bar, his men descried two or three vessels which were coming out, bearing the troops formerly stationed at Anahuac, under the command of Sergeant Major Felix Subarán. Mejía was informed that the soldiers under Subarán had joined the republican party and were now on their way to swell the ranks of Santa Anna. Learning this he started on his return to Tampico, “without having heard the least report from the men who were going out from Galveston, or offering them convoy, much less money”.<sup>2</sup>

It is probable that Mejía, on his return journey, stopped for a short period at Matamoros, as he had reserved the right to do so in the compact of July 6, and, as Matamoros was in his direct route, he may have called there for supplies, etc.<sup>3</sup> Thence he went direct to Tampico, where he arrived on the 28th of July. The exact date, however, is not of especial importance, since his commission was really finished, with the exceptions which will soon be taken up, when he left Galveston Bay.

The work of the Mejía expedition was not altogether completed by the adhesion of the municipality of Brazoria and the companies of the Anahuac stronghold. On the contrary, Piedras at Nacogdoches still maintained his power, and sundry districts had neither declared for nor against the plan of Vera Cruz. One of the colonists wrote that “Col. Mexia had not marched on Nachidoch on account of the Scarcity of provisions nor had he heard from them. He however left if with the Americans to send Col. Piedras on to the westward a prisoner, to take him without bloodshed if possible, if not, to use force”.<sup>4</sup> Thus the Texans fell heir to the unfinished part of Mejía’s mission, and it devolved upon them to oust Piedras and to take such further action relative to the Plan as best suited their ideas and wishes. This phase of the subject—the aftermath of the expedition—will be discussed in full under the next sub-head, as will also the various steps taken by the colonists anent the Plan before Mejía’s expedition to Texas.

<sup>1</sup>Traveling at the rate at which he came from Brazos Santiago to Velasco, he should have made the bar of Galveston in six or seven hours.

<sup>2</sup>Filisola, *Memorias*, I 258-261.

<sup>3</sup>H. More to ——— Perry, Aug. 5, 1832. Austin Papers.

<sup>4</sup>Ibid.

## IV. THE TEXANS AND THE PLAN OF VERA CRUZ.

When the Texans found themselves before Anahuac in June, 1832, bearing arms and endeavoring to persuade Colonel Bradburn to respect their liberties and think as they did along certain American lines, they appear to have suddenly suspected that Mexico would deem their deeds rebellious. The colonists well knew what they were battling for, but the question was, could the Mexican nation understand the meaning and character of their grievances, or would it not rather be inclined to misinterpret their operations and attribute to them a great deal more significance than was their due? Now there were two parties in Mexico—one headed by Bustamante and upholding absolute principles, the other, with Santa Anna as the nucleus, supporting “democratic-republican-federal” ideas. Hence, the colonists had two chances of putting themselves in the right with part of the Mexicans at least by sanctioning the “platform” of either side. Being Americans it was the most natural, and in fact the only, measure the “rebels” could take, to declare for Santa Anna—the defender of republican principles. Therefore, although the impression survives that the men congregated around Anahuac accepted the Plan of Vera Cruz simply as a pretext for having attacked that place, there seems no reason to doubt that, so far as they were inclined to take part in national politics at all, they would have preferred the party of Santa Anna to that of Bustamante.

Again, the circumstances surrounding the case favored the Texans. The Anahuac garrison belonged to the “ministerial,” or Bustamante, faction; and, if the colonists were fighting against the adherents of this faction, it would, in the nature of things, be out of place for them to be attached to the same party. Hence, they adhered to the other. But I repeat that they must have been pleased to sustain political theories similar to those under which they had been reared.

On June 13, 1832, the “farmers” in their camp at Turtle Bayou, six miles north of Anahuac, concurred in what were named “the Turtle Bayou Resolutions,” in favor of the plan of Vera Cruz. These resolutions are as follows:

*“Resolved*—That we view with feelings of the deepest regret, the manner in which the government of the Republic of Mexico is administered by the present dynasty. The repeated violations of

the Constitution; the total disregard of the laws; the entire prostration of the civil power;<sup>1</sup> are grievances of such a character, as to *arouse* the feelings of every freeman, and impel him to resistance!

*"Resolved*—That we view with feelings of the deepest interest, and solicitude, the firm and manly resistance which is made by those Patriots under the highly talented and distinguished chieftain Santa Anna, to the numerous encroachments and infractions which have been made, by the present Administration, upon the Laws and Constitution of our *beloved* and adopted country.

*"Resolved*—That as freemen devoted to a correct interpretation and enforcement of the constitution and laws, according to their true spirit, we pledge our lives and fortunes, in support of the same, and of those distinguished leaders who are now so gallantly fighting in defense of civil Liberty.

*"Resolved*—That all the people of Texas, be invited to coöperate with us, in support of the principles incorporated in the foregoing resolutions."<sup>2</sup>

These resolutions were signed by Wiley Martin, John Austin, L. Lesassier, W. H. Jack, H. B. Johnson, and R. M. Williamson.

The reception of the plan by the Texans in general will now be described. The different municipalities will be taken up in the order in which they declared themselves concerning it, and the action of each will be followed out as completely as possible.

#### *At Victoria.*

The sentiments heralded in the declarations just noted were at once ratified in some portions of the country. In an address delivered by W. D. C. Hall of the precinct of Victoria during Mejía's sojourn in Brazoria, he remarked that the inhabitants of his district had been informed of the Turtle Bayou pronunciamiento. The speaker then continued that "we were rejoiced to see this declaration, for such had been for a long time our own feelings

<sup>1</sup>A manuscript copy of the resolutions in Spanish preserved in the Nacogdoches Archives (box 1, no. 10) has an additional clause here, which is translated as follows: "and the substitution in its place of a military despotism."

<sup>2</sup>Edward, *History of Texas*, 186-187.

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and wishes—The people of this precinct, therefore, immediately met and concurred in the declaration for the constitution and Santa Anna."<sup>1</sup>

At a second assemblage in the town of Victoria, the residents again sanctioned the principles of the "liberal party". We are told that "at a large and respectable meeting of the citizens of the Precinct of Victoria convened according to public notice on the 16th of July, they unanimously Re-solved to succeed or perish in the cause of the constitution and Santa Anna, or in other words the plan of Vera Cruz." The body then elected a committee of vigilance for the promotion of their cause. "On the night of the same day the committee 'learned of' the arrival of Col. Mexia, a friend and officer of Genl. Santa Anna, at our port, from Matamoras. . . . bringing us the joyful intelligence of the surrender of Matamoras".<sup>2</sup> On hearing this welcome news the convention reiterated its strong attachment to the plan.

With these more or less fragmentary notices of the reception of the plan of Vera Cruz at Victoria, we will now pass on to Brazoria where the enthusiasm for Santa Anna was made more manifest than anywhere else in Texas.

#### *At Brazoria.*

One of the objects for which Mejía came to the colonies was to promote the cause of the "liberal" leader and to disseminate the principles recently inaugurated by the Vera Cruz garrison. He revealed his real intention in a letter to the second alcalde of Brazoria, John Austin, enclosing a copy of the compact between himself and Guerra of July 6, in which he pointed out what would have been his course toward the disturbers of the peace, "had the late movements . . . been directed against the integrity of the national territory". But, as he had been assured by sundry respectable men that the recent events "were on account of the colonists having adhered to the Plan of Vera Cruz," the colonel affirmed that his troops, led by himself in person, would support and "protect their adhesion to the said plan".<sup>3</sup> The mild and conciliatory tone

<sup>1</sup>*Texas Gazette*, July 23, 1832.

<sup>2</sup>*Ibid.*

<sup>3</sup>*Ibid.*

of this note was due in great part, no doubt, to the influence of Stephen F. Austin, who, it will be recalled, accompanied the expedition to Texas.

The alcalde, in answering this communication, informed Mejía that a delegation, which had been selected by the people of Brazoria, would present him with some resolutions adopted a few days before anent the Plan of Santa Anna. Moreover, he said that the acts aimed at explaining the motives by which the Texans had been governed, and contained their "true sentiments". Austin detailed at length the reasons for attacking the Mexican soldiery, and gave the result in each case.

"This, Sir," he concluded, "is what has passed. I hope it will be sufficient to convince you that these inhabitants have not manifested any other desire or intention, than to unite with Genl. Santa Anna, to procure the establishment of peace in the Republic, under the shield of the Constitution and Laws . . . and that the sovereignty of the States shall be respected".<sup>1</sup>

On the 16th day of July, 1832, the residents of the community gathered and resolved to continue their adhesion to the plan of Vera Cruz, which action was taken before they learned of Mejía's having anchored at the mouth of the Brazos.<sup>2</sup> The following day, having heard in the meantime of the arrival of the forces from Tampico, the citizens appointed a delegation to welcome Colonel Mejía to Brazoria.<sup>3</sup>

This delegation met the commander of the fleet after his debarkation at Velasco, and escorted him to Brazoria. William H. Wharton, the chairman of the reception committee, immediately after the arrival of the party, read the following characteristic address:

"Col. Mexia: We view you as a fellow struggler in the same field with ourselves, and as the harbinger of the happy intelligence that the cause of the constitution and Santa Anna, or, in other words, the cause of truth and justice and liberty has triumphed most signally and gloriously. We hail the day of your arrival among us, in the sacred cause you came to advocate, as the brightest one that ever shone on the prospects of Texas." The colonists felt

<sup>1</sup>*Texas Gazette*, July 23, 1832.

<sup>2</sup>Austin to Musquiz, July 28, 1832. Nacogdoches Archives, box 1, no. 13.

<sup>3</sup>This is the delegation referred to in the letter from John Austin quoted above.

in duty bound "to go heart and hand" with Santa Anna, "and not 24 hours have elapsed, since, in a numerous and public meeting, we resolved to succeed or perish with him. We declared for his cause, sir, when it was in doubt, and now that it is triumphant, we give you the most solemn pledges, that in putting down the present violators of the constitution, and bringing the government back to a strictly legitimate mode of procedure, Genl. Santa Anna shall have our warmest support and our most zealous coöperation."<sup>1</sup>

Mejía was apparently completely won over by all this effusion of eloquence and flattery, and he replied in choice terms that it pleased him mightily to perceive the devotion of the Texans "to the Mexican confederation, to the constitution, and to his excellency, Genl. Lopez de Santa Anna". Moreover, the aims which the colonists sought to attain were the same as those proclaimed in Vera Cruz—"Federation, Laws, and a Liberal Ministry, which will respect the general constitution and the sovereignty of the States". The Colonel continued that "the cause which you have thus adopted is that of the people against oppression; that of the friends of federal institutions against the military and oppressive government which the ministers of Genl. Bustamante wished to establish. These being the principles which influence this respectable community, I should be inconsistent with my own, were I not to offer them my friendship, and the support of the chiefs under whose orders I am acting."<sup>2</sup>

Not only were the people of Brazoria formal supporters of the plan of Vera Cruz, but they even permitted their ardor and admiration for Santa Anna to gain such a hold upon them that their impulsive expression betokened their warm feeling. Stephen F. Austin remarked that "on my arrival at Brazoria I found all the people unanimous and very enthusiastically in favor of the Plan of Santa Anna. They received Señor Mexia with the greatest pleasure and with a joy and happiness which I have never before seen in this country upon any occasion." "Long live the constitution and the laws; long live the rights of the States; long live the Mexican Federation; and long live Santa Anna, the heroic defender

<sup>1</sup>*Texas Gazette*, July 23, 1832.

<sup>2</sup>*Ibid.*



of them," were some of the distinguishable exclamations which arose from the crowd.<sup>1</sup>

From the citations made in the last few paragraphs, the fact that the Anglo-Americans settled in and around Brazoria were firm supporters of the constitution, as against arbitrary government, is clearly obvious.

*At San Felipe.*

Under Section II mention was made of the resistance of San Felipe and Matagorda to the movements under taken by some of the colonists for the dismantling of Anahuac and Velasco. The observations there recorded gave evidence conclusive that these townships were uncompromisingly opposed to the action taken against the military posts and hostile to the principles sanctioned in the camp at Turtle Bayou. However, not more than a month had elapsed when the source of this conservatism—the village of San Felipe—declared vigorously for Santa Anna. This peculiar move seems anomalous and contradictory, and, although such is really the case, the explanation is not deep seated.

Horatio Chriesman, the alcalde, in defending the acts of the *ayuntamiento*, tells us that "it was necessary to take the step which has been taken, toward unifying public opinion and avoiding the sad results of disunion—It was the duty of the Ayuntamiento to apply remedies, and two were presented: the first was civil was within the municipality—; the other, to unify public opinion, and thus to establish harmony. The latter was adopted; and I believe that your Honor will say that the Council has done its duty as guardian of the public peace."<sup>2</sup> Again, Col. S. F. Austin said that "it is not difficult to imagine that the presence of Col. Mexia exerted a decisive influence upon public opinion".<sup>3</sup> These instances clearly show that the revulsion of sentiment of the San Felipe citizens was because they wished to ward off a clash with the Mexican

<sup>1</sup>Austin to Musquiz, July 18, 1832; the same to the same, July 28, 1832. Nacogdoches Archives, box 1, nos. 5 and 13. (Translation.)

<sup>2</sup>Chriesman to Musquiz, Aug. 22, 1832. Nacogdoches Archives, box 1, no. 15. (Translation.)

<sup>3</sup>Austin to Elosua, Aug. 21, 1832, in Austin Papers; Austin to Musquiz, July 28, 1832, in Nacogdoches Archives, box 1, no. 13. (Translations.)

troops under Mejía, and desired to be guaranteed in the possession and continuation of their rights—both personal and political.

The first news of the coming of Colonel Mejía reached San Felipe on July 20,<sup>1</sup> and the inhabitants of the latter community appear to have suddenly become eager upholders of Santa Anna. A squad of men was organized under the name of "the Santa Anna Volunteer Company," and Colonel Austin who arrived at San Felipe on the 25th, was grandly received by the "republicans". At 4 o'clock on the same afternoon citizens and soldiers alike met and swore fealty to the constitution of 1824.<sup>2</sup>

The alcalde of San Felipe ordered, on July 20, an extra session of the *ayuntamiento* for the 26th of the same month.<sup>3</sup> In accordance with this notice the council convened on the appointed day and considered the question concerning the plan. It pointed out that Colonel Mejía had manifested his determination to aid the Texans in furthering Santa Anna's intentions, and that, since these aims had been highly approved by all classes, the *ayuntamiento* was, therefore, almost compelled to conform to them.<sup>4</sup>

The *ayuntamiento* assembled again on the 27th, but this time its number was increased by the presence of many other residents. Austin expressed his opinion that the colonists in mass ought to adopt the plan of Santa Anna, and they at length did so, unanimously and rejoicingly,<sup>5</sup> in the following manner:

The *ayuntamiento* advanced practically the same reasons for joining with their fellow-countrymen, as had been put forward on the day before, and resolved (Art. 1) that they would adhere solemnly to the Plan, and to the "planks" of the liberal "platform." In the second article it is specified that in supporting these principles, the inhabitants "have no other object in view, than to contribute their feeble voice and aid in sustaining the constitution, and the true dignity and decorum of the national flag, and the rights of the State of Coahuila and Texas which have been

<sup>1</sup>Chriesman to Ramón Musquiz, Aug. 20, 1832. Bexar Archives.

<sup>2</sup>Mrs. Holley, *Texas* (1833), 142-145.

<sup>3</sup>*Ibid.*

<sup>4</sup>Copy of proceedings of town council of San Felipe, July 26, 1832. Nacogdoches Archives, box 1, no. 10.

<sup>5</sup>Austin to Musquiz, July 28, 1832. Nacogdoches Archives, box 1, no. 13.

insulted by military encroachments in these colonies since 1830, and that they will be at all times ready to take up arms in defence of the independence and constitution of their adopted country and the integrity of its territory". The remaining sections are the so-called "additional articles," on the privileges of freemen, and on the formal presentation of copies of these declarations to various persons.<sup>1</sup>

Austin's Colony was thus identified as a firm center of federalism, and as a staunch friend of General Santa Anna.

*At Nacogdoches.*

The earliest intimation that we have of the people of the Nacogdoches Department embroiling themselves with the troubles of 1832, is given by Col. Piedras, the commandant of the frontier, stationed at Nacogdoches, in the report of his relief expedition to Anahuac. Soon after the outbreak of hostilities at Anahuac, Piedras was apprized of it, and, on June 19, he set out with a small force with the intention of succoring the besieged Bradburn. Having advanced as far as Fort Terán, the company was met by a messenger from Anahuac by whom Piedras was informed that the colonists had declared for Santa Anna,<sup>2</sup> and that they were in communication with the residents of the Ayish Bayou, Bevil, and other places. The commandant of the frontier feared that the people of Ayish would be won over to the insurgents' cause, and hence he delayed in order to guard his rear. At Sabine, which he reached some days later, Piedras' worst anticipations were realized on his being told that meetings had already been held at many points in the district of Ayish, and that the settlers there had sanctioned the Plan. Although the precise date is not found, it may be inferred from the incidents mentioned in the report that the proceedings of the Ayish Bayou inhabitants occurred about June 24.<sup>3</sup>

Piedras returned to Nacogdoches on the 11th of July where he heard that the Ayish Bayou colonists had not gone any further than to announce their acceptance of the Santa Anna plan.<sup>4</sup> He

<sup>1</sup>Mrs. Holley, *Texas* (1833), 152-154.

<sup>2</sup>This refers to the Texans at Turtle Bayou.

<sup>3</sup>Piedras to Elosua, July 12, 1832. Nacogdoches Archives, box 1, no. 18.

<sup>4</sup>*Ibid.*

"doubled his guards," however, made tremendous preparations for war, and sent a commission into the Ayish precinct to inquire into the real status of matters there—what was the purpose of those Americans and upon what forces they counted. The deputation brought back word that the only design of the citizens of Ayish was to uphold the constitution and Santa Anna against military tyranny and despotism, and to aid the civil authority and the people of Nacogdoches against the colonel of the frontier.<sup>1</sup>

Piedras complained, on July 24, that there were sundry foreigners of American extraction stirring up the Texans by "drinking Santa Anna's health in public" and by otherwise spreading revolutionary ideas. Moreover, the plan was greeted with applause by the folk in general, but he exclaimed stoutly that he would hold out to the bitter end in the impending struggle, even though "the Alcalde and his Ayuntamiento" had turned from him.<sup>2</sup>

The commandant made his assertion good by declining all stipulations set down by the partisans of the opposition. "Day after day, time after time," says Frost Thorn of Nacogdoches, "the citizens of this village called on him for that object [i. e., to induce him to join Santa Anna]; I myself urged the case on him so repeatedly that I was fearful he would arrest me if I persisted—and as a stronger argument I showed him a Letter I had received from Mr. S. M. Wms. noting the arrival of yourself [Austin] and Coln Mehira & that the Colonists would assist Coln. M. if needed, &c, &c.—his replies I will not pretend to state to you, but they were all full of fight, & If in justification to the cause, & to counteract any false representation that might be made, you should wish to be made acquainted with the efforts the citizens used to prevent the effusion of Blood, a Note from you to the Alcalde of this district to take evidence will be immediately attended to—& It will appear that there was the utmost courtesy on the one Side & the most determined obstinacy on the other."<sup>3</sup>

On August 1, Colonel Piedras issued a statement<sup>4</sup> that "my

<sup>1</sup>Proceedings of *ayuntamiento* of Nacogdoches, Aug. 6, 1832. Nacogdoches Archives, box 1, no. 14.

<sup>2</sup>Piedras to Elosua, July 24, 1832. Nacogdoches Archives, box 1, no. 9.

<sup>3</sup>Thorn to Austin, Aug. 28, 1832. Austin Papers.

<sup>4</sup>See proceedings of *ayuntamiento* of Nacogdoches, Aug. 6, 1832. Nacogdoches Archives, box 1, no. 14.

officers and troop have resolved to sustain the government, the constitution, and the laws to which they have pledged themselves, and will not declare against them." This action greatly exasperated the American settlers, and "the residents of the different districts of Ayish, Taja,<sup>1</sup> Sabine, Bevil, and Nacogdoches" convened on the next day, August 2, and adopted the appended articles:—

"Art. 1. That we pledge ourselves to our country and to each other in the presence of Almighty God, with all the justifiable means at our command, and under the banners of Santa Anna to defend the constitution and the federal-republican principles and the rights of the States—

"Art. 2. We consider that Señor Piedras ought to be required to approve the cause of the worthy Santa Anna," and, should he refuse, he shall be relieved of his command.

Art. 3 provided that in case Piedras should offer resistance, a committee would demand that he turn over the troops to some officer inclined toward Santa Anna, and, if he refused, he would be forced to do so by means of arms.<sup>2</sup>

The colonel very naturally would not consider the above orders, and hence it became essential to resort to arms. After a battle, lasting some six hours, the "ministerial" forces were obliged to retreat, which they did during the night of August 2 and in the direction of the Angelina river.<sup>3</sup>

Some time on August 3, Piedras resigned the command of his soldiers, and on August 4, there was a meeting of the officers of the twelfth battalion at the Rancho de la Angelina where all sanctioned the plan of Vera Cruz. They invited their former colonel to join the republicans and regain his old position, and agreed to a provision that in case he did not accede, he was to be arrested and sent on to Mexico, a political prisoner.<sup>4</sup>

The Anglo-American forces at Nacogdoches, on August 6 ratified the step taken at Angelina on the 4th, and on the 14th of the same month, the *ayuntamiento* of Nacogdoches, after relating the series of happenings which led up to the expulsion of Piedras, observed

<sup>1</sup>For Tenaha.—EDITOR QUARTERLY.

<sup>2</sup>Proceedings of *ayuntamiento* of Nacogdoches, Aug. 6, 1832. Nacogdoches Archives, box 1, no. 14.

<sup>3</sup>Austin to Musquiz, Aug. 15, 1832. Nacogdoches Archives, box 1, no. 16.

<sup>4</sup>Proceedings of *ayuntamiento* of Nacogdoches, Aug. 6, 1832. Nacogdoches Archives, box 1, no. 14.

that the blood of eight patriots had sealed "their adhesion to the constitution and laws, and to the sustentation of the civil magistrates against military aggressions—under the banners of the invincible Genl. Santa Anna."<sup>1</sup>

The formal acknowledgment of the plan of Vera Cruz by the *ayuntamiento* of Nacogdoches is probably the last notice of the long-debated question in that vicinity, as the solution of the problem had been previously discovered and executed—viz., the ejection of Piedras.

#### *At Bexar.*

A little after the middle of July, 1832, Stephen F. Austin had begged the political chief at Bexar—the head of the local government in Texas—to call his *ayuntamiento* together for the purpose of upholding "the truth and the constitution."<sup>2</sup> No voice, however, was raised by the authorities of San Antonio concerning this matter until several weeks later.

The news came to Bexar during the last week in August that on the 11th the plan of Vera Cruz had been proclaimed in Leona Vicario by the governor of the State. It was likewise added that the legitimacy of Pedraza's election to the presidency of the republic in 1828 was fully recognized. A contemporary document<sup>3</sup> states that "the Political Chief solemnly declared that the officials, all the people, and the military garrison of this city were from this moment [Aug. 30] attached to the Plan of Santa Anna . . . and consequently to the eligibility of Señor Gomez Pedraza, as President of the Republic".<sup>4</sup> The same afternoon the convention of the citizens was celebrated in the main plaza by the firing of cannon and the chiming of bells.<sup>5</sup>

#### *At Goliad.*

The last district to assert itself as to the plan of Vera Cruz was the municipality of Goliad. This town, however, took no action

<sup>1</sup>Proceedings of *ayuntamiento* of Nacogdoches, Aug. 6, 1832. Nacogdoches Archives, box 1, no. 14.

<sup>2</sup>Austin to Musquiz, July 18, 1832. Nacogdoches Archives, box 1, no. 2.

<sup>3</sup>Resolutions adopted by citizens of San Fernando, Aug. 30, 1832. Nacogdoches Archives, box 44, no. 1363.

<sup>4</sup>*Ibid.*

<sup>5</sup>*Ibid.* See also Garza to *ayuntamiento* of Bexar, Aug. 30, 1832. Nacogdoches Archives, box 2, no. 66.

until about August 24 (with the exception of some irregular proceedings on July 14), when several of the most prominent persons forwarded the sanction of the civil officials to San Felipe. It will perhaps not be out of place to quote the entire communication, as it so clearly depicts the actual condition of affairs in Goliad.

"Sir:—The undersigned native citizens of the U. S. of A.—merchants residing here—have with much Satisfaction Seen the Declaration of your Ayuntamiento in favor of the plan of Santa Anna—the worthy Patriot and Defender of the Constitution and Laws of this Country.

"We perceive with increased Satisfaction, that the unanimous voice of the inhabitants of your Colony are in accordance, and we heartily concur with them. We approve the document (which will reach you by this same conveyance) addressed by the civil authorities of this place to those of yours.

"For your information we would advise you that the military force now here consists of between 50 & 60 men. Most of them it is Supposed would join the Standard of Santa Anna,—Should oppt'y. offer, and the civic authorities and the citizens are undoubtedly favorable to him. These are now quiet, because they have neither force to commence, nor resources to Sustain, a Contest."<sup>1</sup>

Although, the writers of this note claim that the soldiers in the post of Goliad would perhaps amalgamate with the Santa Anna followers, still at the time the council met to pass upon the measures taken at San Felipe for the constitution, the commandant of the garrison refused to be present, and openly manifested his intention of remaining true to Bustamente, "untill compelled by force of arms to act otherwise".<sup>2</sup>

The military must have reconsidered and decided that its enmity was uncalled for, because on September 1, a committee waited upon the chief officer, and the latter came over to the federal party. The *ayuntamiento* assembled on the same day and publicly solemnized the resolutions embracing the faith of the Vera Cruz troops. At three o'clock in the afternoon, the townsmen and "civic militia" marched together through all the streets of the city, and announced aloud their love for and interest in the heroic General Antonio

<sup>1</sup>Western *et al.* to S. F. Austin, Aug. 24, 1832. Austin Papers.

<sup>2</sup>Western *et al.* to Austin, Aug. 25, 1832. Austin Papers.

Lopez de Santa Anna; while the commandant and the alcalde, now the best of companions, watched the final fusion of the discordant elements in Texas during the year 1832.<sup>1</sup>

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V. CONCLUSION.

The question as to Mejía's real object in coming to Texas has often been raised, and has been only partially answered. In my opinion the answer is that it was primarily to preserve Texas to the Mexican confederation, and secondarily to promote the cause of Santa Anna.

As to the first of these objects, it has been observed heretofore that, when intelligence came to Mejía and Guerra of the disturbances in the province of Texas, they forthwith dropped their differences and coöperated "to save Texas to the Mexican confederation."<sup>2</sup> Again, Mejía in writing to Alcalde John Austin, remarks that he would have proceeded very harshly had the movements in the colonies "been directed against the integrity of the national territory."<sup>3</sup>

In the second place Mejía aimed at diffusing liberal tendencies. It is only needful here to read his own words in proof of this statement. The colonel declared that since the colonists had clung to the Plan, he would "unite with them to accomplish their wishes, and that the forces" under his command would "protect their adhesion to the said plan."<sup>4</sup>

<sup>1</sup>Proceedings of a meeting at Goliad, Sept. 1, 1832. Nacogdoches Archives, box 44, no. 1368.

<sup>2</sup>Filisola, *Memorias*, I 256.

<sup>3</sup>*Texas Gazette*, July 23, 1832. Also Guerra to Mora, July 16, 1832. Nacogdoches Archives, box 1, no. 6.

<sup>4</sup>*Texas Gazette*, July 23, 1832.



REMINISCENCES OF EARLY TEXANS.

A COLLECTION FROM THE AUSTIN PAPERS.

J. H. KUYKENDALL.

[6.<sup>1</sup>] *Recollections of Capt. Gibson Kuykendall.*

(Born in Kentucky, Anno 1802.)

My father, Abner Kuykendall, and his brother Joseph, with their families, left Arkansas Territory for Texas in October 1821. At Nacogdoches they were joined by their brother Robert, who had, for some time, been residing west of the Sabine. The three families crossed the Brazos river at the La Bahia road, on the 26th day of November 1821. We found Andrew Robinson and family camped on the west side of the river. Robinson had preceded us two or three days. His was the first immigrant family that crossed the Brazos river. Here we all stopped for about a month, in which time a few more families arrived. About Christmas Robt. and Joseph Kuykendall and Daniel Gilleland proceeded on to the Colorado and settled temporarily on the east side of the river near the crossing of the La Bahia road. These were the first families that settled on the Colorado.

About the first of January 1822, my father and Thomas Boatright moved ten miles west of the Brazos and settled near New Year's creek, about four miles south of the present town of Independence. We had explored this part of the country a week or two before we settled in it. During this exploration we found a herd of buffalo and killed one, but found no more during our residence there. We were now without bread. We had about two bushels of corn which we saved to plant the ensuing spring. Deer and turkeys were abundant. The deer were lean but the turkeys were fat and fine and constituted, for several months, the most valuable part

<sup>1</sup>These numbers are inserted and should have been bracketed in the installments of the reminiscences given in THE QUARTERLY for January and for April.—EDITOR QUARTERLY.

of our subsistence. My father, myself, and two younger brothers were good hunters and our family though large, was never destitute of meat. We had a few cows which supplied us with milk. Bees were plentiful, and we were rarely without honey.

We had not been long here when the Tonkewa tribe of Indians camped near us for two or three weeks. They begged importunately but forebore from hostilities. They were much afraid of the Wacoos who had a short time previously, during the absence of the Tonkewa warriors on a hunt, fallen upon and massacred about thirty of their women and children and old men. This massacre took place on Davidson's creek twenty-five or thirty miles north of our settlement. During the winter we cleared a few acres of hammock or thicket land and planted our corn in April. It looked very promising for a while but the severe drought of the ensuing summer blighted our prospect. We scarcely raised as much corn as we had planted. In June, learning that some vessels had landed at the mouth of the Colorado with a supply of provisions, father Amos Gates and myself went down to purchase some flour. On our way down we were joined by Robert and Joseph Kuykendall and Daniel Gilleland. Just after we arrived at the mouth of the river another schooner came in and landed several immigrants. Ten Carancawa Indians were at the landing. They professed friend[ship] for the immigrants but commenced hostilities a few weeks afterwards. Father bought two barrels of flour and the rest of the party from one to two barrels each. We paid twenty-five dollars a barrel. We packed the flour on horses and mules. This flour afforded our family the first bread they had tasted for seven months. Late in the summer and early in the fall of this year, the Carancawas committed various depredations. The first chastisement they received was at the mouth of Scull creek. Robert Brotherton had been severely wounded by them. When this news was received about a dozen of the settlers led by uncle Robert Kuykendall went in pursuit of the Indians. The Tonkewas were at that time camped near his house, and the settlers thought it prudent to take their chief (Carita) with them to insure the good behavior of his people during the absence of the party, whose families would be unprotected until their return. Upon arriving near the mouth of Scull creek the party was halted in order to spy out the Indians—for which purpose uncle Robert took with him two or three men, and some time after night, they

heard the Indians in a thicket pounding brier-root.\* At early dawn the ensuing morning uncle Robert, leaving the horses in charge of Judge Wm. Rabb and the Tonkewa chief, led his little party to the attack. By the morning twilight they were enabled to find a small path which led them into the thicket and to the camp of the Indians. When the party got within a few paces of the Indians they found that but one had yet risen, who perceiving the party, seized his bow, but before he could use it was shot down by uncle Robert. The settlers now rushed on the camp and delivered a deadly fire. Nine or ten of the savages were killed on the spot and but few escaped. The scalp of one of the slain, taken by Andrew Castleman, together with his bow, six feet long, was afterwards sent me by uncle Robert.

Notwithstanding the severe drought of the season, some corn was raised in the Brazos bottom. Father was so fortunate as to obtain enough for our bread from William Smothers, who had settled on the river a little below the mouth of Caney creek.

In November 1822, father rented his place on New Year's creek to a Mr. Wheat, and moved back to the Brazos, five miles below the La Bahia road, where Josiah H. Bell, William Gates and Samuel Gates were already residing.

In December an election for civil and militia officers was held at the house of Jos. H. Bell. Bell was unanimously elected Alcalde, Samuel Gates captain and myself lieutenant. (There was but one lieutenant elected). Early in the summer of 1823, father and I went to Natchitoches, Louisiana, for salt and sugar and coffee for the use of our family. We packed these necessities on two horses. When we returned home, a Frenchman had just arrived in the neighborhood from the Rio Grande with several mule loads of rock salt which enabled our settlement to supply themselves amply with this indispensable condiment.

Towards the latter part of this summer a party of Tonkewas stole a horse from father and several from Mr. Wheat. Father, Thomas Boatright, my brother Barzillai and myself, pursued the thieves. For a few miles their trail went northward—it then turned southward or down the country. Suspecting the Tonkewas, and learning that a portion of the tribe under the chief Carita were some-

\*This brier root is common in Texas. It contains a farina as palatable and wholesome as arrow-root. The Indians extract this starch by pounding the root and washing it in water.

where near "the Fort" (Fort Bend) on the Brazos, we resolved to proceed to that point.\* Whe we arrived at the Fort we learned that the Tonkewas were encamped on Big Creek six or eight miles below that place. We immediately returned to the infant town of San Felipe—then containing but two or three log cabins—\* and reported our suspicions of the Tonkewas. Austin raised a few men and went with us to the fort, where we were joined by a few more men—making our force thirty strong. Austin dispatched two men to look for the Tonkewas, but before they returned Carita came to us and acknowledged that five of his young men had stolen our horses. He said the horses should be restored and the thieves punished. We immediately proceeded to the camp of the Indians, where all the horses were promptly restored, save one, which Carita promised to deliver next day. He pointed out the five men who had committed the theft—each of whom was sentenced to receive fifty lashes and have one-half of his head shaved. Carita inflicted one-half of the stripes and my father the other half. The lash was very lightly laid on by Carita who frequently paused to ask Austin "cuantos." Before he had inflicted his moiety of the stripes the culprits pretended to swoon; but as soon as father began to apply the lash they were roused to the most energetic action. The sentence was fully executed on four—of the thieves—the remaining one, being sick, was excused from the whipping but was to have his head polled after his brother offenders were disposed of; but while the castigation was proceeding, the sick inan managed to save his locks by running off and concealing himself in a thicket.

We returned to the Fort, and next day Carita delivered us the missing horse. The other division of the Tonkewa tribe was, at this time, on the Colorado under the chief Sandia.\*

During the same summer a Frenchman and two Mexicans, all residents of Louisiana, returning from the Rio Grande with a small *cavallada* passed through our neighborhood and crossed the Brazos, at the La Bahia road. As they passed by the residence of Martin Varner (near the present town of Independence) they stole his most

\*[line 2] See note 1 at the end of this paper.

\*[line 5] See note A.

\*[line 29] See note B.

valuable horse. Our Alcalde, Josiah H. Bell, ordered me to raise a few men and pursue the thieves[.] The men who went with me were, Martin Varner, Samuel Kennedy, James Nelson, Oliver Jones and George Robinson. About midnight of the day we started we arrived at a creek much swollen by a recent rain. Dark as it was we swam this stream and about an hour before day, on the waters of the Trinity, we came upon the camp of the thieves[.] We remained a short distance from the camp until daylight when we pounced upon and captured them.\* We, however, released one of the Mexicans, as, from circumstances, we did not believe he had participated in the theft. We also permitted him to keep such of the horses as he claimed. The Frenchman and the other Mexican and their horses (ten or eleven) we brought back to the Brazos. Though our alcalde (J. H. Bell) considered the guilt of the prisoners unquestionable, he thought it best to send them to the civil authorities of San Antonio to be dealt with. Accordingly, in pursuance of his order, I set out for San Antonio with the prisoners, but just after crossing the Colorado, at the La Bahia road, I met Moses Morrison and one or two other Americans returning from San Antonio, who dissuaded me [from] proceeding to that place, assuring me that the Mexican authorities would set the prisoners at liberty without punishment.

Uncle Robt. Kuykendall resided, at that time, a few miles below the La Bahia crossing. I went down to consult him—taking the prisoners with me. At Uncle Robert's I first met with and was introduced to Samuel M. Williams (then E. Eccles).<sup>1</sup> The prisoners were examined before uncle Robert,\* Mr. Williams acting as interpreter. Each of the prisoners was sentenced to receive thirty-nine lashes—which sentence was duly executed; after which the Frenchman was released, it appearing that he was only accessory to the theft. I was advised to take the principal back to Bell for further proceedings, which I did, and Bell ordered me to whip him again and release him on the east side of the Brazos with orders to depart the colony forthwith—all of which was done.

I had had this fellow in charge for some time, and although it

\*[line 9] We also recovered Varner's horse.

<sup>1</sup>I. e., Williams first and Eccles next.—EDITOR QUARTERLY.

\*[line 27] See note 2, end of this paper.

had been my unpleasant duty to punish him, I always treated him with as much leniency as was consistent with his safe custody. He appeared to like me and when I gave him a wallet of provisions and told him he was at liberty he seemed a good deal affected and begged me, in broken English, should I ever visit Louisiana to call on him. He said he was a householder, and, to cap the climax of his respectability, had (to use his own words) "a nigger to wife."

As these thieves had given me and others a good deal of trouble, Mr. Bell caused their ponies to be sold to remunerate us.

A still greater outrage was perpetrated this summer by another party of Mexicans from the border of Louisiana. They were *en route* to the Rio Grande and finding a small party of Mexicans on Scull creek with a cavallada which they were driving east, the Louisianians camped with them. The ensuing night they fell upon their Rio Grande brethren and after murdering two or three and dispersing the rest, took possession of the cavallada. Carrasco, the owner of the horses, though wounded escaped to the settlement on the Colorado; whereupon uncle Robt. Kuykendall with a few men, started in pursuit of the thieves, who, it was soon discovered had separated into two parties (having divided the horses) one of which had crossed the Colorado a short distance below the Labahia road and the other many miles above it,—The latter party after crossing the river fell into and followed the San Antonio road and escaped to Louisiana—but the former was pursued by uncle Robert and overtaken on the west bank of the Brazos at the Coshattie crossing. Two of them were killed and their [heads (?)] stuck on poles at the roadside. The horses were also retaken and restored to the owner. After these examples the "border ruffians" ceased their depredations within the bounds of Austin's colony.

In November 1823, my father moved about thirty miles farther down the Brazos and settled on its right bank eight miles above San Felipe. Here he opened a farm in the river bottom and next season raised a good crop of corn. In the spring of 1824 a party of Mexicans stole some horses from the Wacoas and brought them into our neighborhood. The Indians followed them down and to indemnify themselves stole the first horses they found, which chanced to be ours. We thus lost thirteen head of valuable horses—everything of the horse kind we possessed, except one mule, which escaped from the Indians and returned home.

We pursued the thieves to the head of Cummin's creek—about forty miles, where we lost the trail and returned home by the way of the fort on the Colorado. (This fort was on the east side of the river some twelve or fourteen miles below the present town of La Grange. It was a block house enclosed with palisades. All the families of the neighborhood were then within the fort.)

In the month of July of this year, Col. Austin, in consequence of the continual depredations of the Carancawas determined to lead an expedition against them. This expedition, between forty and fifty strong, started from San Felipe, where my father, brother B. and myself joined it. When we got near the Colorado, Austin sent a detachment through the head of Bay Prairie to look for the Indians. With the remainder of the company he crossed the river a short distance below Eagle Lake and proceeded down the west side to Jennings's camp where he was joined by the portion of the command which had been detached. Thence the expedition proceeded to the Lavaca below the mouth of the Navidad. Most of our route was through a prairie country without road or path. Bordering many of the creeks which we crossed were very dense thickets. Austin detailed pioneers to open roads through such places.

After arriving at the Lavaca without finding any Indians or recent traces of them, Austin came to the conclusion that they had gone to the San Antonio river; but as our provisions were nearly exhausted, he determined to return to San Felipe get an ample supply of provisions, increase his force, and march direct to La Bahia.

Accordingly, we returned home, and after a few days, occupied in making the necessary preparations, we set out a second time from San Felipe. Nearly every man who was in the first expedition was in the second also. But our force was now considerably augmented. There were about ninety men—thirty of whom were negroes—the slaves of Col. Jared E. Groce, mounted, armed and commanded by him. This second expedition passed the Colorado at the Atascocito crossing. We marched on the Atascacito road. It was in the month of August and the weather was so oppressively warm, that, in the great prairie between the Garcitas and the Guadalupe, one of our men fainted and fell from his horse. He was bled and soon revived. That evening we arrived at the Guadalupe river and encamped for the night, on its left bank, nearly a mile above the present town of Victoria. At that time there was not a single habi-

tation on the Guadalupe from its head to its mouth. Here we passed a merry evening. Fun and frolic ruled the hour. Col. William Pettus, known to all old settlers as "uncle Buck," and Col. Gustavus Edwards, both corpulent, middle-aged men, but mirthful as school-boys, entertained us with a foot-race.

When we got within twelve or fifteen miles of La Bahia, we were met by an express from the civil authorities of that place, requesting Austin not to march his force nearer than three or four miles of the town. In compliance with this request the expedition camped at a creek about four miles east of town. Shortly afterwards the civil and ecclesiastical functionaries of La Bahia paid us a visit—the latter being clad in their sacerdotal garments.

These functionaries came to mediate for the Carancawas, by whom they had been authorised to say that they would not in future pass to the east of the San Antonio river. (See note 3.) Austin agreed not to make war upon the Carancawas as long as they should keep this pledge.—When the officials returned to town Austin accompanied them thither—some of the men also, by special permission visited the town. They saw no Indians there, nor could we ascertain where they were; but it was generally believed that they were not far from Labahia. Next day the expedition commenced its homeward march. It returned by the same route it had travelled going out.

A few days after the return of this expedition my father and I went on another trip in quest of the Cokes. At Peach creek on the Colorado we joined a party of ten or twelve men and proceeded thence towards Bell's landing on the Brazos. We crossed the Bernard a few miles above "Damon's Mound." On the east side of the Bernard, near the point where we crossed it we found a herd of Buffalo and killed one.

Upon our arrival at Bell's landing we were joined by a few more men. Here we left our horses and proceeded down the river in boats. When we arrived within a few miles of the mouth the boats landed and a party of three or four men (including myself) went out on foot nearly to the Bernard to look for the Indians. We returned to the boats, however, without having made any discovery. We then proceeded down to the mouth of the river, whence parties were sent several miles east and west along the beach, but no Indians were found. We therefore returned to Bell's landing where



the company was dissolved and the men returned home. Few of those who composed this little company are now living. Every one, save myself, whose name is recollected, has long since passed away, viz., my father, Josiah H. Bell, Owen N. Stout, John Elam, James Jones, and Brit. Bailey and his two sons, Smith and Gaines. The latter was killed by the Cokes a short time afterwards.

The total distance traveled by my father and myself (going and coming[]) on these various expeditions during the two months of July and August, was upwards of eight hundred miles.

This fall the Wacoos again visited our neighborhood and stole all, or nearly all, the horses of Mr. John Cummings. We followed the thieves as far as the Yegua—about fifty miles—where we lost their trail in consequence of the great number of wild horses and buffalo which then ranged through that section of country.

In the spring of 1826, Austin resolved to make a campaign against the Wacoos and Tawacanies, whose depredations had become frequent. The various companies and squads which were to compose the expedition, started for the place of rendezvous (the crossing of the Brazos at San Antonio road) about the 15th of May. My father and myself started on the 17th of May. Most of the men from the Brazos crossed that river at the Labahia road and proceeded up the river to the San Antonio road. A company from the Colorado crossed at the San Antonio road. As they were fording the river the horse of Thomas Alley of this company fell and threw his rider into the river. Alley rose and waded a short distance but was finally washed down stream by the rapid current and sank. It was supposed that he was hurt by the fall from his horse. The body was found and interred a day or two afterwards. We remained two days on the east side of the river. The few settlers thereabout were fortified, in a log house inclosed with pickets.

Our entire force was about one hundred and ninety men—the command of which was assigned by Austin to Captain Aylett C. Buckner. Horatio Chriesman, Bartlet Sims, William Hall and Ross Alley were captains of companies.

The first day's march of the expedition from the place of rendezvous was to the Little Brazos a distance of fifteen miles. Here we were ordered to leave all our provisions, save rations for three days, as a forced march was intended against the Waco and Tawacanie village.

The second day after we marched from the Little Brazos the rain began to descend in torrents, rendering the ground extremely boggy and thereby greatly impeding our march. The third night after we left the Little Brazos was one of great discomfort. Our camp ground was muddy and boggy and the night cloudy, dark and drizzly. At a late hour one of the sentinels fired off his gun and cried "Indians!" For some minutes our camp was a scene of confusion beyond description. Many of our men had been unable to keep their guns dry and now, in every direction, could be heard the sharp and rapid clinking of metal, caused by their efforts to unscrew the breech-pins of their rifles in order to extract the incombustible powder. Our horses were also taken with a panic and threatened to stampede. The men groped their way through the camp, endeavoring to find out the cause of the alarm. Finally, from various circumstances they arrived at the conclusion (subsequently fully verified) that it was a false alarm raised by order of our commander. This expedient to put the men on the alert, however well intended, was considered by them ill-timed and unnecessary and caused much dissatisfaction.

Next day, though the weather continued unpropitious the march was resumed. When the expedition arrived within three or four miles of the Tawacanie village it was halted at a creek (which was swimming) and five or six men—amongst whom were uncle Robert K. and myself, were sent forward to reconnoitre the village. We found it deserted. The Waco village was on the west side of the river a little further up. We could not reach it, as the river was much swollen, but ascertained that it too was uninhabited.

Appearances indicated that the Tawacanie village had been vacated about two weeks. The Indians were doubtless gone on a buffalo hunt. Their patches of corn were in silk and tassel. There was an abundance of beans of which we picked a mess or two but destroyed nothing. When we returned and reported to Capt Buckner, he immediately ordered the homeward march of the expedition. Until we reached our deposit of provisions our march was rapid, for our three days' rations had been exhausted for as many days. When we reached the Brazos at the San Antonio road, the expedition was disbanded.

In the autumn of this year (1826) the Fredonian disturbances commenced. In November or December, Austin sent my father,

Judge Ellis, and Francis W. Johnson to Nacogdoches to see the leaders of the Fredonians and endeavor to dissuade them from rash measures. They were, however, unable to effect anything. After their return to San Felipe the Mexican and colonial troops marched against the revolutionists.

So large a proportion of the men of the colony was sent on this service that Austin deemed it prudent to order my father with eight men to range the country between the Colorado and Brazos along the San Antonio road to detect any inroad of the Wacoos or other northern tribes[.] This service he performed until after the termination of the Fredonian troubles. These men he had with him were, B. Kuykendall, W. Kuykendall, Early Robbins, Thomas Stevens, John Jones, James Kiggans, John Walker and J. Furnaish. At that time the San Antonio road, except at the point where it crosses the Brazos, was from thirty to forty miles above the outmost settlements.

*(To be concluded in another book.)*<sup>1</sup>

#### NOTE 1.

The Choctaws, Cherokees and other northern Indians frequently came to Texas for the purpose of hunting deer and other game and waging war against the various aboriginal tribes of the Province. On our way down to the fort we met, at Allen's creek, nine miles below San Felipe, a party of between twenty and thirty Choctaws and Coshatties[.] A night or two previously the Choctaws of this company, whilst traveling on foot, unexpectedly met a party of Cokes on the prairie a mile or two below the Fort, and killed five of them without sustaining any loss on their part. All the Cokes except one, were on foot. The one who was mounted had a large alligator tied to his saddle. As the ponderous reptile impeded his flight he cut it loose and dropt it in the prairie. We passed by the spot two or three days afterwards and saw the remains of both Cokes and Crocodile.

#### NOTE 2.

John Tomlinson, the Alcalde for the Colorado, had previous to this time, been killed by the Indians on or near the Guadalupe[.]

<sup>1</sup>See note, p. 47. If the reminiscences were ever continued in a third book, it is not now among the Austin Papers.—EDITOR QUARTERLY.

I think Robt. Kuykendall then held some civil office by *appointment*.

## NOTE A.

My first visit to San Felipe was in May 1823. To the best of my recollection there was then but one cabin in the place. It was occupied, and probably built by, the brothers John and Achilles McFarlane.

## NOTE 3.

I have read but a small portion of Yoacum's History, but chanced to light upon his relation of this Treaty with the Carancawas, in which he says, in substance, that it was faithfully observed by them. This is an error. Some of the greatest atrocities ever committed by these Indians in Austin's colony were perpetrated after this treaty was made.—

J. H. K.

## NOTE B.

The number of warriors of the Tonkewa tribe did not much exceed one hundred—it certainly did not reach one hundred and fifty.

[7.] *Recollections of Isaac L. Hill.* (Georgian.)

I was a sergeant in Capt. Moseley Baker's company, first regiment, Texas army, during the campaign of the spring of 1836. Our army on its retreat from the Colorado, encamped on the evening of the 26th of March, about a mile from the town of San Felipe. Early the ensuing morning, by order of Genl. Houston, I was detailed by Captain Baker with six men of his company to take charge of the ferry at San Felipe. I was instructed by Genl. Houston to let no *man* cross at the ferry without written permission from him. I immediately proceeded to the ferry and took possession of the boat. Shortly afterwards Capt. Baker arrived at the ferry with the remainder of his company and camped on the west bank of the river. He was detached by Genl. Houston after the army was paraded to march.

The succeeding day (Mar. 28th) Captain Baker crossed his company to the east bank of the river and began to dig a ditch the entire length of which, when completed, was one hundred and

twenty-four yards. It was in the form of an L, the longer part fronting the river. The shorter part was below the road and extended eastward. The dirt was thrown outside the ditch. This work occupied us until the evening of the 31st of Mar. when Capt. Baker paraded the company and informed the men that he had received intelligence that the Mexican army had crossed the Colorado and was advancing on San Felipe; that he had been instructed by Genl. Houston, upon the approach of the enemy to burn the town, and that in obedience to said order the company would now proceed to reduce it to ashes. We crossed the river after night and it was about eight o'clock when we arrived in the streets of San Felipe, where Capt. Baker again harangued us. He stated, in substance, that he thought it was bad policy to burn the town but that Genl. Houston was inimical to him and would avail himself of any plausible pretext to injure him. He was therefore determined to execute his orders to the letter. He then commenced the work of destruction by setting fire to his own office with his own hand. The houses were of wood and the conflagration was rapid and brilliant. It was nearly midnight and the town was almost consumed, when the company returned to camp.

A large amount of goods were destroyed by this conflagration. All the merchants, with the exception of William P. Huff, had previously left the place but were represented by their clerks.

Some of our men asked permission of the clerks to take such goods as they needed; but this was refused, even when the torch was about to be applied to the stores. Neither Captain Baker's men nor the people of the town doubted that it was destroyed by order of the commander-in-chief.

The clerks crossed the river and camped with our company. Next morning (Apl. 1) we resumed working on our entrenchment. This morning Capt. Baker wrote to Genl. Houston. Before dispatching the letter he said to me and others of his mess, "General Houston is inimical to me—I have to be very cautious—I will read you this letter." He read it accordingly. It stated, in substance, that having received intelligence that the enemy had crossed the Colorado and were advancing towards San Felipe, he had, in obedience to the order of the commander-in-chief, burned the town.\* General Houston replied to this communication the same day.

(\*See note one at end of this paper.)

Capt. Baker read the reply to myself and others. It stated in general terms, that the commander-in-chief approved of Captain Baker's course. Shortly after the burning of the town we were reinforced by Capt. Kimbrough's company[.] Our force now amounted to one hundred and twenty or one hundred and twentyfive men, including, however, several merchants' clerks, and others, only temporarily attached to the command. For several days we were in hourly expectation of the arrival of the enemy. On the evening of the 5th Apl. James M. Bell, William Simpson and myself were selected by Captain Baker for what was deemed a perilous service, namely, to act as a picket guard the ensuing night on the San Felipe side of the river. We crossed the river—then very high—in a canoe which Captain Baker ordered should be sent back immediately—so fearful was he of its falling into the hands of the enemy and affording them the means of crossing the river and surprising his camp. We, however, managed to keep the canoe and locked it to a tree. We then proceeded on and posted ourselves on a gentle eminence in the prairie a little west of the site of the main part of the town and about three-fourths of a mile from the ferry. Bell and myself stood the first and second watches. The third and last was assigned to Simpson. As Capt. Baker had ordered us to return to camp very early next morning, Bell and I, when we lay down, requested Simpson to wake us at daylight[.]

This, however, he neglected to do and we were roused at sunrise by the clattering of horses' feet. "What is that said I?" Bell rose and exclaimed "Mexicans by G—d!" There were about a hundred cavalry, the advance guard of the Mexican army. Though not more than seventy or eighty yards distant they had not yet perceived us, their whole attention being engrossed by Simpson, who, it seems, as soon as daylight appeared, went into an unfenced garden about sixty yards from our post and was looking for vegetables when the Mexicans surprised him. They did not fire at him and seemed anxious to capture him which they very soon did.\* In the meantime Bell and I were running at the top of our speed towards the ferry. The Mexicans discovered us before we had got half way and instantly the whole squadron spurred their horses in pursuit of us. We followed the high road which passed a little to the right of the head of a ravine. The Mexicans, aiming to cut us off from

\*See note 2 at end of paper.

the river, bore so far to the left that they struck the ravine (which was impassable for cavalry) and had to make a detour to get round the head of it. This saved us. Yet, we would still have been lost had I listened to the rash proposition of my companion to face the enemy and fight! We had scarcely got into the canoe and pushed it from the shore when the Mexicans were on the bank and shooting at us. They fired two or three rounds before we reached the opposite shore and one of them bade us in good English, "bring back that boat!"

When Capt. Baker's men saw the Mexican cavalry galloping towards the ferry, they mistook it for Wash. Secrest's spy company, and were not undeceived until the enemy began to fire at the boat. They then returned the fire and it was supposed, wounded one of the Mexicans. The cavalry quickly retired and half an hour afterwards the Mexican army arrived and encamped in the prairie, south and west of the site of the town and from four to six hundred yards from the ferry. Capt. Baker immediately moved his camp about a fourth of mile further up the river, but a portion of the command constantly occupied the ditch. Sentinels were placed along the bank of the river for more than a mile above and below our entrenchment[.]

During the remainder of this day, the only molestation we received was from one individual of the enemy, who posted himself behind a brick oven near the bank of the river, and fired at us with a rifle, the greater part of the day. I was afterwards informed that this indefatigable rifleman was an American of the name of Johnson who had deserted to the Mexicans. At daylight on the morning of the 7th, just as I was rising from my pallet in the ditch, I was startled by the booming of a cannon which had been planted near the head of a ravine opposite the ferry, and on what was known as commercial square.

Many rounds of roundshot, grape and cannister were discharged at us, throwing the sand upon us and knocking the bark from the cottonwood trees that extended their branches over us. We also suffered a casualty. John Bricker of Capt. Baker's company, after having been relieved at his post below the entrenchment started up to the camp, but loitered on his way to pick up cannon balls and was struck by a cannister shot. Almost instant death ensued, though the ball had barely buried itself in his temple. The ferry

boat was this day scuttled and sunk in obedience to an order from Genl. Houston received by Capt. Baker the evening of the 6th. The Mexicans cannonaded us daily from the 7th to the 10th Apl. inclusive. On the morning of the 11th we ascertained that the enemy had left San Felipe. About this time Captain John Byrd with a company of mounted men rode into our camp and informed Capt. Baker that he had verbal orders from Genl. Houston to supersede him in the command of that post. Capt. Baker immediately paraded his men and informed them that Capt. Byrd had been sent to supersede him, to which, he said, he was not disposed to submit. He said he had defended the crossing until the Mexican army had departed and he could not see the necessity of remaining any longer in that position—but submitted it to the men whether they would remain or march to rejoin the army. All voted to march. Capt. Baker therefore issued orders to that effect and early in the night we took up the line of march—leaving Capt. Byrd's company at our camp.

That night we marched to Irons's creek—six miles. Next morning (Apl. 12th) we crossed the creek—which was much swollen—on a raft, and encamped on the east side, where we remained two days. Meantime the Mexicans had effected the passage of the river at Fort Bend, despite the vigilance of Capt. Wyly Martin, to whom, with a company composed of the men of that neighborhood, the defense of that crossing had been entrusted. While we lay at Irons's creek, Capt. Martin and his company and many of the fugitive families of Fort Bend passed within a mile of our camp. Captain Baker went out to see them. He returned to camp much affected by the distress he had witnessed among the women and children, a number of whom were travelling on foot. Learning from one of the ladies that she had been insulted by a negro man, he sought the negro and intended, had he found him, to run him through with his sword. Captain Baker wept.

On the morning of the 14th we resumed the march and the same evening rejoined the army at Donaho's. \* \* \* On the 18th Apl. the army arrived at Harrisburg—and encamped. On the morning of the 19th the army was paraded. Genl. Houston addressed us. He said the enemy was not far off and he was going to lead us against them—said if there was a man in the ranks who did not feel like fighting he had permission to remain with



Major McNutt, who had command of the camp guard. He said, when you engage the enemy, let your battle cry be "Remember the Alamo!" Col. Rusk followed with a short but very stirring speech—he said let your battle cry be "The Alamo and La Bahia!" We were then dismissed for a short time to prepare rations for 3 days

\* \* \* On the afternoon of the 21st when the army was paraded to attack the Mexicans, Capt. Baker harangued his company.\* He said he wished his men neither to give nor ask quarter—as a token of which he proposed that the company carry a red flag. A vote was taken whether we should or not—but one man—(John H. Money) voted against it. A red handkerchief was therefore hoisted for a flag, and carried until the battle commenced, when from some cause it was thrown away. \* \* \* When the army started back to camp, (after the battle) it was about dusk. It was halted a moment at the breastworks of the Mexicans, and Genl. Houston addressed it in a few very eloquent sentences which I long remembered but have now forgotten. After he had concluded he said to Capt. Baker—"Captain B. have I not done my duty?" ["Yes, Genl.," replied our Capt. "but I wish you had done it sooner." I was not aware that Genl. Houston had been wounded until about the time he began to address the army. \* \* \* I was present when Santa Anna was brot. into the presence of Gen. Houston and remained until the memorandum was drawn up and signed. After it was written, Almonte asked Genl. Houston how it should be dated. Genl. H. replied 'Lynchburg, I believe, is the name of the place.' Col. Wharton said "San Jacinto Genl.—let it be San Jacinto"—which was adopted.

#### NOTE 1.

Capt. Baker retained a copy of this letter. I saw him write it and assisted him to compare it with the original. He kept a copy of all his correspondence with Genl. Houston. \* \* \* A few days after the battle of San Jacinto, Captain Baker accompanied a detachment under Col Burleson, sent to watch the movements of the Mexican army then retreating between the Brazos & Colorado. Before he left camp he handed me a package of papers—saying it was his correspondence with Genl. Houston—and enjoined me to take especial

\*While Capt. B. was delivering this speech, Genl. Houston sat near on his horse and listened attentively.

care of it until his return, which I did. Years afterwards, when it was said Genl. Houston denied authorising the burning of San Felipe and threw the responsibility of the act on Captain B. I wondered that the latter did not publish this correspondence \* \* \* Genl. Houston's order to Capt. Baker to burn San Felipe (if ever given) was merely verbal. Capt. Baker knew very little about military matters and did not sufficiently appreciate the importance of written orders—a great error, considering his relations with the commander-in-chief. When Genl. Houston's Fabian policy began to develop itself on the Colorado Capt. B. vehemently opposed it. He was in favor of fighting the enemy at the Colorado, and during the whole campaign he denounced the commander-in-chief in unmeasured terms, and was in favor of deposing him from the chief command. He thought General Houston deserved impeachment, and after the battle of San Jacinto drew up charges and specifications for that purpose.

NOTE. 2.

Simpson afterwards informed me that a Mexican officer overtook and struck him with the flat of his sword—and bade him surrender, which he did. He was immediately taken before Santa Anna of whom he forthwith enquired what was to be his fate. Santa Anna replied that his life would be spared on condition that he would tell the truth. This he promised to do. He was then required to state all he knew in regard to the strength, condition, position &c, of the Texian army, which he did. The Mexicans found on his person a letter which he had recently received from his wife and which corroborated the greater part of his statement. He was detained as a prisoner and compelled to work until a few days after the battle of San Jacinto[.] When the intelligence of that event, brought by a wounded soldier, reached Felisola at Fort Bend, Mr. Simpson says, a considerable portion of that division had already crossed the river, but was immediately crossed back to the west side and Filisola began his retreat. On the march, Simpson, unnoticed, lay down in the prairie, the high grass of which concealed him from view, and after the army had passed he rose and went his way.

Round Top, Fayette Co. Texas,  
March, 1858.

Dear Sir:

I owe you an apology for the cramped hand in which the following pages are written. I know I ought to send you a better specimen of calligraphy, but am really too indolent to copy. I have still various papers in hand, which I beg to retain until I can obtain a few additional facts, without which they are incomplete.

Should you find anything in this or the other volume which may need explanation, please write to me on the subject.

Last fall I sent you a list of *errata*. You will find the same list at the close of this vol.

Respectfully yours, &c  
J. H. K.<sup>1</sup>

[8.] *Recollections of Abraham Alley.*

Abraham Alley and his brothers John C. and Thomas D. Alley immigrated to Texas from the State of Missouri in the spring of 1822. At N. Orleans they embarked on board the schooner James Lawrence bound for the mouth of the Colorado—the messrs Alley, however, debarked on the west end of Galveston Island.

Thence they proceeded on foot to Fort settlement on the Brazos and thence to the Atoscacito crossing on the Colorado, where they settled on the east side of the river. An elder brother, Rawson Alley, was already in Austins colony whither he had immigrated the year before. In the winter of 1824 another brother, William Alley, also emigrated from Missouri and settled on the Colorado. At the period of their immigration they were all young and single men. In the fall of 1822 or the winter of 1822-3, John C. Alley, John C. Clark and another man were coming up the Colorado in a canoe when they were attacked by the Carancawas near the mouth of Scull creek and Alley and —— were killed[.] Clark was severely wounded but after three days arrived at the Atoscacito crossing. About the time of this occurrence as Robert Brotherton from the settlement near the locality of the present town of Columbus was going down the west side of the river with a horse and cart

<sup>1</sup>The reminiscences were written out by the collector; Mr. Kuykendall, in two small blank books. This letter, which was intended for Judge Bell (see THE QUARTERLY, VI 236), introduces the second.—EDITOR QUARTERLY.

he met a party of Carancawas (supposed to have been the same that attacked the canoe) who at first affected friendship but presently shot him in the back with an arrow. With great difficulty he effected his escape to the settlement where he resided. The settlers immediately went in quest of the Indians whom they found and defeated near the mouth of Scull creek (see other accounts).—In the spring of 1824 Captain Rawson Alley commanded a company in Buckner's campaign against the Wacoos and Tawacanies. Abraham and Thomas Alley were members of this company. Thomas was drowned in the Brazos river on the upward march of the expedition. "In the summer of 1825" says Mr. Alley "a party of Wacoos and Tawacanies came to our settlement professing friendship and stating that they were on their way to San Felipe to see the 'capitan grande' (Austin) but the next night they stole seventeen horses and mules. Most of the horses belonged to my brothers and myself. The mules—a valuable team—belonged to a Mexican trader who had stopped in the neighborhood. We never recovered one of these animals.

[“]Early in the autumn of 1826 a runner came to us from the upper settlement on the Colorado with the news that a party of sixteen Wacoos and Tawacanies had appeared in that neighborhood professing friendship but who were all afoot and provided with ropes and bridles. As it was believed they had come down to steal horses our aid was invoked to attack them before they could consummate their object. It was late in the evening when we received this news, and at nightfall brother Rawson, myself and a few others set out for the upper settlement—a distance of thirty miles. We arrived at the spot designated for the rendezvous—some time before day, where we found Capt. Jas. J. Ross at the head of the party of the upper settlement. Our whole force was about twentyfive men.

The Indians were encamped not far away on the bank of a creek in the open Postoak woods and within fifty yards of the cabin of a Mr. Anderson. Before leaving the place of meeting, the plan of attack was arranged. My brother in command of a party, was to get in the rear of the Indians and take a position under the bank of the creek and await the attack of Capt. Ross's party in front.

[“]About the dawn of day my brother's party, to which I belonged, gained the position agreed upon. Here we remained in profound silence until Ross's party delivered their fire. The Indians,

in consternation, leaped down the bank of the creek where they met the muzzles of our rifles and fell rapidly before our aim. The thigh of the Indian chief was broken, and one of our men (Griffin) had a hand to hand struggle with him before he was despatched.

[“]Nearly all the Indians fell, either on the spot or within a few hundred yards. There was good reason to believe that fifteen of the sixteen were killed or mortally wounded. One of the latter was found a few week[s] afterwards, still breathing. The Indians were so completely surprised that it is believed they did not shoot an arrow at us.”

Mr. Alley was a member of what was known as the San Saba expedition (1829)[.] He belonged to a small company commanded by his brother Rawson. Capt. Rawson Alley died in May 1883. The surviving brothers, Abraham and William, still reside on the Colorado near the Atascocito crossing.

Anno 1857.

NOTE.—The Mexicans greatly feared these Indians, who frequently visited their towns and were treated most hospitable, but the Indians upon their departure, generally stole horses, or committed other depredations. The same policy did not succeed so well in the “white settlements.”

[9.] *Recollections of the Campaign of the Spring of '36. (J. H. K.)*

By a Private in the Texian Army.<sup>1</sup>

[10.] *Tarring and Feathering of Dr. Lewis B. Dayton.*

Dr. Lewis B. Dayton, it is believed, was a native of one of the northern States. In the winter of 1825-6 he came to Austin's colony, stopped about eight miles above San Felipe and boarded at the house of William Robbins. He was a man of good education and thought to be an excellent physician. He was, however, evidently fond of fishing in muddy waters. He soon found fault with Austin and his secretary (Williams), and denounced them in the most violent terms. He endeavored, and with some degree of success, to

<sup>1</sup>The matter belonging under this title has already appeared in *THE QUARTERLY*. See Vol. IV, pp. 291-306.—EDITOR QUARTERLY.

convince the settlers, that Austin, who alone was in possession of the colonization laws, suppressed such as favored the colonists, who, he contended, were not receiving their rights. Hearing a young man in the neighborhood sing a doggerel ballad he determined to adapt it so as to apply to Austin and Williams. Shortly afterwards copies of Dayton's parody were placed in the hands of various persons. Indeed the song soon became popular in various parts of the colony. One quatrain is remembered. It ran as follows:

"The first of those villians who came to this State  
Was runaway Stephen F. Austin the great;  
He applied to the Mexicans as I understand  
And from them got permission to settle this land.[""]

(Chorus.)

The mere fact that this scurrilous balad was sung by many persons throughtout the colony is sufficient evidence of the spread of a strong and dangerous prejudice against the Empresario and his Secretary. Happily for the colony Dayton's career was of short duration. Early in the autumn of 1826 whilst on a visit to Fort settlement he was arrested by William Hall and others, on the charge of uttering false and slanderous accusations against the Empresario and endeavoring to produce grave disturbances in the Colony. Dayton expected to be tried by a lawful officer. But he was taken back to San Felipe arraigned before the tribunal of Judge Lynch and sentenced to be tarred and feathered. This sentence was instantly carried into effect. His head was besmeared with tar and the contents of a pillow emptied upon it. He was then released and ordered to depart the Colony forthwith. He, accordingly, *did* leave it immediately and never returned.

Had Dayton possessed as much nerve as venom he would probably have rallied his friends—of whom he had not a few—and caused a good deal of commotion in the colony.

At the time of this occurrence Austin was absent from San Felipe. After his return he expressed regret that Dayton had been mobbed, and said, had he been at home, it should not have happened.

(Compiled from the recollections of myself and others.)

[11.] *Miscellaneous Remarks.*—By J. H. K.

During colonial times in Texas the full stock rifle with flint and steel lock was the gun generally used. After the invention of the percussion lock many were slow to adopt it.

Beef cut in strings and dried, *penole* and coffee, were the usual provisions for a campaign. In long campaigns each mess of eight or ten men had a packhorse. The men never encumbered themselves with anything that was not indispensable. Tents were not used in campaigns against the Indians.—From the first settlement of Austin's colony until the war of Independence—a period of fourteen years—every man furnished his own horse, arms, ammunition and provisions and never received any compensation whatever.

During the war of Independence privates received eight dollars a month and three hundred and twenty acres of land for three months' service.—The soldier, when discharged, was generally without money or clothing and was often necessitated to sell scrip and Land Warrant at a very great sacrifice, to purchase a few articles of apparel. I have also known men to sell their warrants for five or ten cents an acre in order to buy an outfit for another campaign.

With here and there an exception, those who made the most patriotic sacrifices and devoted the best years of their lives to the service of their country, are now amongst the poorest men in it. In battling to extend "the area of Freedom" they have contracted the area of their purses almost to the starving point.

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In that portion of the State embraced within the limits of Austin's colony, the face of the country has greatly changed since its first settlement. In 1821 and for several years afterwards, wild oats and wild rye grew in great luxuriance in the bottoms of the Brazos and Colorado. These fine grasses have long since disappeared. In many localities in the same bottoms where dense and extensive cane brakes formerly existed, scarcely a cane can now be found. Many of the prairies on which, of old, the grass waved in rank luxuriance, have been grazed and trodden by stock until weeds and bushes are fast usurping their surface. Formerly the annual burning of the grass prevented the spread of forest vegetation in the prairies.

Thirty years ago the currents of the small creeks in the hilly and

undulating portion of the colony whispered along through tall reeds and flags and "flowing hair of green confervæ," and, here and there were deep and limpid pools, on the surface of which floated the broad, disc-like leaves of the water-lily. Innumerable perch, trout, and other scaly fry tenanted these pools undisturbed by the angler.

Now, how different is the aspect which these brooks present! The reeds, the flags, the confervæ, the lilies, and even the pools (and with them the fish) have disappeared, and in many instances, deep and unsightly ravines conduct the streams over muddy beds.

The formation of these ravines is easily explained. The cattle grazed and trampled down the flags and other vegetation and sank into and destroyed the cohesion of the turf. Successive freshets did the rest.

Greatly changed is also the appearance of the wooded bottoms of the larger creeks in the same section of the country. The small confluent of such streams, during freshets, carry down their tribute of earth washed from innumerable farms. This sediment is deposited over the length and breadth of the bottoms, covering from time to time the scanty winter-range that remains.

The wild honey-bee, which once hoarded its sweets in thousands of trees in these bottoms, has nearly disappeared, and bee-hunting, an occupation which, of old, richly rewarded the pioneer, is now no longer pursued.

For at least four years after the arrival of the first settlers in Austin's colony, there was not a practicing physician within its limits. I have often heard that to supply this need Austin induced a physician (perhaps Dr. Phelps) to come from the United States and settle in the colony. After the year 1825 the desideratum was amply supplied.—Preachers also came and occasionally broke to the settlers the bread of life. I well remember to have heard an old man of dilapidated mind named Bays or Baize—preach at the house of a neighbor of my father (Moses Shipman) early in the year 1824. I never knew to "which of all the sects" he belonged.

At an early period—as early as the winter of 1823-4—the school-master was also "abroad" and began to exercise his vocation in that primitive, and, when dedicated to such a purpose,—half sanctified



institution, a log-cabin. I think it highly probable that Isaac M. Pennington was the first who wielded the ferule of the pedagogue. He taught reading, writing and arithmetic.

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Very many of the first immigrants to Austin's colony had not even a hand-mill, and for a long time their only means of manufacturing meal was by pounding the corn with a wooden pestle in a mortar made in a log or stump. The first saw and gristmill propelled by water was erected on Mill creek by the Cummings family. It went into operation in the year 1826. One or two horse mills had been erected a short time before.

[12.] *Additional Recollections of Isaac L. Hill.*<sup>1</sup>

The army took up the line of march from the camp near Harrisburg about noon or perhaps a little later, of the 19th April. After marching down Buffalo Bayou between half and three quarters of a mile it began to cross the bayou in a small, frail, leaky flat-bottomed boat. We landed on the right bank almost immediately (a few paces) below the mouth of Sims's bayou. Here, in the pine woods, the men lay down and rested until dusk, at which time the march was resumed. It was not far to Vince's Bayou, which we crossed on the bridge. Here Santa Anna had encamped only a night or two before. His camp fires (extinct) extended from near the bridge into Vince's lane. The road passed through Vince's lane and near his house. (south of it) The night was pretty dark. The army marched slowly and in profound silence. Occasionally it was halted for a few moments. Orders to halt were given by our officers in a low tone. About a mile and half or two miles below Vince's the road crossed a ravine. On the west side of this ravine and a few paces (perhaps not more than fifty) to the left of the road we were halted and ordered to lay down on our arms. Our bivouac was in the open prairie.

Early on the morning of the 20th we resumed the march—still following the road to Lynche's ferry (or Lynchburg)[.] At the distance of two or three miles we reached a point of timber where we halted to eat breakfast. A number of cattle were grazing near us and several beeves were slaughtered, but just as we began to

<sup>1</sup>See no. 7 of this series.—EDITOR QUARTERLY.

butcher them our scouts brought some information to Genl. Houston about the enemy and the butchering was not completed. By permission, many of the men discharged and reloaded their fire-arms. The march was then resumed towards Lynchburg—below which place the hamlet of New Washington was then undergoing conflagration—we distinctly saw the smoke. When the army entered the valley of the San Jacinto it was halted for fifteen or twenty minutes. When it resumed the march it diverged from the road (to the left) and entered a point of timber nearly opposite (but perhaps rather above) the mouth of Buffalo Bayou. Here, on the bank of the bayou, the army again halted and again some beeves which happened to be convenient, were shot down; but they were scarcely butchered when the enemy were discovered in the prairie marching towards us in solid column from below. We were quickly under arms again and moving along up the bank of the bayou. The march was continued about half a mile, when we halted. The second regt. (our left wing) was posted in a point of timber—the first Regt. farther up the bayou and under its bank (where there was also a narrow strip of timber)[.] The artillery was posted in the centre. (in the prairie.) On the bank, fronting the position of the first Regiment, was a narrow fringe of thicket—which was quickly cleared away with our knives. Before the enemy were within rifle shot both of our cannon opened on them—They instantly wheeled and moved to a position in an Island of timber, whence they opened on us a fire of artillery and musketry.

Years after the battle of San Jacinto, Col. Burleson informed me that on the 20th or 21st, an order was brought to him from General Houston by his aid (Col. Wharton) to detail men from his Regiment to build a floating bridge across the bayou.—Col. B. said he told the aid that his men would fight but would not work,—and refused to execute the order. Shortly afterwards Gen. Houston himself asked Col. B. if he refused to obey this order. Col. B. replied—"No, General, but I *decline* to obey it." General Houston then asked the Col. if he would vouch for his men. Col. B. replied "Yes, General, I will vouch that every man in my Regiment will fight."

\* \* \* I do not believe that Genl. Houston wished to avoid a conflict with the enemy. The order to build the bridge was doubt-

less given to test the *nerve* of the men—to ascertain beyond a peradventure that they were willing to “do or die.” On the morning of the 20th, Lynche’s ferryboat—a large and good one—had been brought up the bayou to our camp. In this boat the army could have been ferried over the bayou in a few hours. A floating bridge was therefore unnecessary, and the idea of constructing one, was, in my opinion, for these and other reasons, never seriously entertained[.]

[13.] *Recollections of Charles Amsler.*

Charles Amsler, a native of Switzerland immigrated to Texas in the summer of 1834, and settled near Mill creek in Austin’s colony. Though very poor at the period of his migration, he has, by patient industry acquired a handsome competency. Mr. Amsler says: “In the autumn of 1835 my wife and I were picking cotton on Mr. Nichols’s farm on Piney creek when I learned that men were needed to strengthen our army, which was then besieging San Antonio. I at once resolved to repair to the scene of action. With not a little difficulty I procured a horse to ride, and having no arms of my own I borrowed a worthless rifle of an acquaintance and set out alone for the army late in the month of November. Near Gonzales I met Genl. Austin—then on his way to the United States—and Col. Wm. Pettus. With the latter I was very well acquainted. I told him that I was going to the wars but complained of my lockless rifle. Pettus handed me his musket—a very good one,—in exchange for the rifle, which he promised to deliver to the owner who was a neighbor of his, and I went on my way rejoicing. Upon my arrival at the camp of the Colonial army I sought the company of Capt. John York—to which a number of my acquaintances belonged—for the purpose of joining it. Not finding Capt. York, who was temporarily absent—I applied to the first lieutenant—John Pettus, for permission to attach myself to the company. Lt. Pettus rejected my application for the reason that the company already had its complement of men. I then attached myself to Capt. Fisher’s<sup>1</sup> company. Almost immediately afterwards Col. Milam called for volunteers to storm the town. I joined the storming party and after we had effected a lodgment in the town and in the midst of the conflict, Capt. York recognised me and told me he wished me to join his

<sup>1</sup>Query—Capt. Cheshire?

company, which I at once did, with the permission of Capt. Fisher. —After the reduction of San Antonio de Bexar an expedition to the Rio Grande was set on foot by Cols. Grant and Johnson. I volunteered for this expedition—which set out from San Antonio about the first of January 1836. Becoming very sick on the march I was left in the care of some Mexican rancheros two or three miles west of the mission of Refugio. Late in the month of February, being convalescent, I became very anxious to return to my family, but had no horse to ride, and no means with which to buy one. I made known my condition to some people living near the rancho who very kindly furnished me a horse and I set out for home. Late in the ensuing evening I arrived at Goliad where I procured some provisions and continuing my journey four or five miles farther stopped in a ravine a short distance from the road, tethered my horse, and lay down. About two o'clock in the ensuing morning, I awoke, kindled a fire, and was boiling some coffee when a man rode up and enquired where I was from. I told him from the mission. "I" said he "am from San Antonio and am on my way to Goliad with dispatches for Col. Fannin. I am much fatigued and will rest awhile with you." So saying, he dismounted and tethered his horse near mine. My coffee being now ready he joined me in drinking it. He was a sociable old gentleman and I was much pleased with him. After resting an hour or more, he said, "Well, my friend, we had better be traveling"—to which I assented and rose to go after my horse. "Please bring my horse too" said the stranger—"certainly," said I, and walked away. The stranger then picked up my gun, threw out the priming and poured water in the pan. I did not witness these acts but was soon afterwards advised of them. When I led the horses to the camp-fire the agreeable stranger cocked his gun and presenting it at my breast, said "you are my prisoner!" Never was countryman of Tell and Winkelreid more amazed than I was at that moment! I demanded by what authority and for what offence I was arrested.—My captor replied—"By authority of Col. Fannin and for stealing that horse." I assured him of my innocence and told him how I came in possession of the horse. The stranger then said—"My friend, I trust you did not steal the horse—I scarcely believe you did—but you are charged with having done so and I shall take both you and the horse back to Goliad"[.] I was compelled to submit and we started back towards Goliad.—After day-

light I showed my captor a certificate from my captain of my good conduct in the storming of Bexar. I also represented my penniless condition and the probable destitution of my wife. My captor seemed moved and handed me two dollars saying—"This is all the money I have—but I can do without it and it may relieve you a little." I now enquired the name of my generous captor. He told me it was Smith—Deaf Smith!—When we arrived at Goliad I was handed over to Col. Fannin. Mr. Conrad, of Goliad, who claimed the horse I rode, made the necessary proof and took his property. After a short detention I was exonerated from the charge of theft and released. I now set out for home on foot. I crossed the Guadalupe at the Labahia road. As the Mexican army of invasion was known to be near our frontier the few settlers on the lower portion of the Guadalupe had already abandoned their homes and moved eastward. About eight miles east of the river I found a house which had evidently been very recently vacated. A fresh wagon track led from the door in the direction I was traveling. I followed this wagon-track with the hope of overtaking the movers and late in the evening got in sight of the wagon on the waters of Lavaca. I also saw the oxen grazing in the prairie. When I arrived at the wagon some trunks were lying, broken open, around it, but no person was visible. At a short remove was a thicket, and it occurred to me that the movers were encamped in it. I walked a few steps towards it and found the half naked body of a man, pierced with many wounds and scalped.—Hastily glancing around, I discovered another dead man—much mangled and scalped. I knew at once that this was the work of Indians—who were doubtless then but a short distance from that spot, as the wounds of the murdered men were still bleeding. I was greatly shocked and traveled on with reasonable fears of becoming the next victim of the savages.

An hour or two after night, being much fatigued, I turned a few paces aside from the road and wrapping my blanket around me, lay down in the grass and was soon asleep. The day had been warm, but long before midnight I awoke thoroughly chilled and a piercing norther was sweeping over the prairie. I slept no more that night. When daylight came I resumed my journey slowly and painfully, for my limbs were so stiff and numb that at first, I was barely able to move at all. Early in the day I struck the road leading from San Felipe to Gonzales. Here I found several armed men encamped,

on their way to the latter place. After warming myself well at their fire and taking some refreshment which they gave me, I again set out on my solitary march. I had proceeded but a few miles when I discovered, as I supposed, a number of mounted men moving rapidly towards me. I did not doubt that they were Indians, and though escape seemed hopeless, I ran as fast as possible towards the nearest woods, but soon broke down and stopped in the open prairie. Death appeared inevitable, yet I was resolved to sell my life as dearly as possible. Turning towards my pursuers, now near at hand—I beheld a score or two of horses without riders. They were *mustangs*. Having made a circuit around me and viewed me to their satisfaction, they galloped away. I resumed my journey and in due time and without further adventure, rejoined my wife on Mill creek. The tide of invasion had by this time reached our frontier—the Alamo had fallen—our little army was in full retreat from Gonzales, and nearly all the families of middle and western Texas were deserting their homes and moving eastward. A few of the German settlers on Mill creek not having any means of transportation, resolved to remain at home and take their chances. Mr. Frederic Ernst, the founder of the Industry settlement, vacated his house and camped in Mill creek bottom—hoping thereby to avoid discovery by the enemy. My own effects were no great encumbrance, but my wife was *enciente* and unable to travel on foot. I therefore camped with Mr. Ernst. Mr. Frells and Mr. Wapler—neither of whom had a family—did likewise. Here we remained until our army arrived on the Brazos, when two of our neighbors, namely, Capt John York and John F. Pettus, returned from the Brazos and urged us to leave—saying that if we should not be discovered by the Mexicans the Indians would certainly find and destroy us. Capt. York said he would walk and let my wife ride his horse as far as the Brazos, and I willingly agreed to depart the ensuing day. Capt York then requested me to accompany him to his late home—a few miles further up the creek, to assist him to hunt some horses he had left there. I immediately borrowed a horse and we set out together. We had travelled about three miles when I discovered an Indian standing in the prairie—but he disappeared before I could point him out to Capt. York—who expressed the opinion that I had mistaken a wolf for an Indian. We galloped

to the spot where I had seen the Indian—but nothing was visible. York was then satisfied that I was mistaken, and we travelled on.

After a fruitless search for York's horses, we returned, in the evening, to our camp. At nightfall, as the mosquitoes were somewhat troublesome at the camp, Mr. Wepler went to Ernst's house to sleep. Late in the night we were awakened by the discharge of fire-arms in the direction of the house, and presently Mr. Wapler came to the camp and stated that a party of Indians had fired into the house—apparently at random, and then disappeared.

In a little while it was ascertained that Pettus's horse and one belonging to Frells, were missing.

Ere an hour had elapsed we again heard guns at a distance southward, and in a short time a Mr. Jeorgen,<sup>1</sup> who resided about three miles distant from Ernst's, ran into our camp nearly naked and bleeding profusely from an arrow-wound in the arm. He stated that the Indians had forced open the front door of his cabin and fired into it—and that being without arms and consequently unable to make any defence, he had, after being wounded, escaped through a back door and left his family (a wife and two children) to their fate. To ascertain, if possible, what that fate had been, York, Pettus, Frells and myself—the former alone being mounted—instantly set out for Jeorgen's house, where we arrived a little after daylight—but found nobody either living or dead—about the premises, and the presumption was unavoidable that the family had been captured and carried away by the savages. We found the trail of about twenty Indians leading from the house. After following this trail two or three miles we gave up the pursuit as hopeless, and returned to our camp. These exciting occurrences "put life and mettle in the heels" of men, women and children, and in a few hours we were all on the way to the Brazos, the few effects we were able to take with us being hauled in an ox-cart of Mr. Frells.

#### NOTE 1.

One of the men whom Mr. Amaler found murdered on the waters of the Lavaca was named *Hibbins*. The name of the other is not recollected. He was said to have been brother-in-law of Hibbins. Hibbins's family—a wife and two children—were made prisoners and borne away by the Indians.—Another Hibbins and his wife were, two or three years afterwards, murdered by Indians west of

<sup>1</sup>See note 2 at the end of this paper.—EDITOR QUARTERLY.

the San Antonio river 30 miles below Goliad. Their children were rescued by a party of Rangers.

Mrs. Jeorgen, after a long captivity, was purchased from the Indians and sent home by a U. S. Indian agent. I believe her children were also subsequently ransomed.

## NOTE 2.

*Jeorgen*, in the foregoing paper, should be written *Juergen*.<sup>1</sup>

[14.] *Texas Almanac for 1858*.<sup>2</sup>

In the Biographical sketch of Genl. Rusk in the *Texas Almanac for 1858*, occurs the following passage: "While the army was encamped on the evening previous to its reaching the forks of the road [near McCurley's]<sup>3</sup> the commander-in-chief called Col. Sherman to his tent and directed him to go through the camp and inform the officers and men that on the next day they would take the road to Harrisburg—that Col. Rusk, secretary of war, had given him a positive order to move in that direction, and that he was bound to obey the order as coming from his superior. *The order was received by the whole army, with the greatest enthusiasm, as it ensured a speedy termination of the retreat and gave hope of a battle with the advancing Mexicans.*"

I cite the above passage in order to record my conviction of the erroneousness of the concluding sentence, which implies that Col. Sherman, in obedience to the order of the commander-in-chief, *actually did* go through the camp and communicate to the officers and men the intention of the general to take the right hand road to Harrisburg. If Col. Sherman asserts that he received such an order from Genl. H. I have no disposition to question his veracity—but I *do* deny that such information was disseminated *generally*, among "the officers and men," and re-assert what I have elsewhere

<sup>1</sup>See THE QUARTERLY, I 301-302.—EDITOR QUARTERLY.

<sup>2</sup>This, of course, is Mr. Kuykendall's title. As will be seen from the matter, the caption is too comprehensive.—EDITOR QUARTERLY.

<sup>3</sup>This is Mr. Kuykendall's bracket.—EDITOR QUARTERLY.

<sup>4</sup>The italics are Mr. Kuykendall's. Several other departures from the text—not very important, perhaps, but still worth noting—have been made in this quotation.—EDITOR QUARTERLY.



stated, namely, that it was *not* generally known which road the army would take until it arrived at the point where the road forked.

Perhaps the exhilarating information was confided to the staff and Regimental officers—perhaps also to a few others, whose “enthusiasm,” however, was certainly not manifested by either words, signs, or gestures. In short, were it worth while, I think I could easily convict Col. Sherman (provided the foregoing statement is made on his authority) of at least *partial* disobedience to the orders of the Commander in Chief.

[15.] *Notes on Yoakum's History of Texas.*

In a hasty perusal of a *portion* of Yoakum's History, I note the following errors:

In vol. 1, page 213 he says, “Among the emigrants from Pecan Point was the Cherokee John Williams. \* \* It is probable Garrett and Higgins were the first settlers on the Brazos.”

John Williams was not an Indian but a white man—For aught I know he may have been called by the *soubriquet* of “Cherokee.” Garrett and Higgins were certainly *not* the first settlers on the Brazos. “Deweese' letters” which Yoacum several times quotes, are not reliable.

“They” (the Carancawas) “proposed to meet Col. Austin at La-bahia and make a treaty. The latter collecting a hundred volunteers met them at the creek four miles east of La Bahia. Peace was made and the Indians obliged themselves not to come east of the San Antonio. This pledge they ever after observed.” Vol. 1 page 226.—This pledge the Indians did *not* observe. There are other errors in the sentences above quoted. (See the true version in some of the papers sent you.)

The account of what is termed the “San Saba expediton” on pages 260 & 261 vol 1. is incorrect.

“The next day, the 21st, Ward set out again towards Victoria where he and his command surrendered to the enemy as prisoners of war.” Vol 2. page 89.

Ward did not surrender at Victoria but on the Garcitas several miles east from Victoria.

NOTE.—Yoacum's orthography of the name *McCurley* (so pronounced) is probably correct. He writes it *McCareley*.

On page 105 vol 2. speaking of the Texian troops at Gonzales on the 12th of March, he says "They had not two day's provisions: many were without arms and others destitute of ammunition." This statement is not true. Provisions were plentiful; very few, if any, were without tolerable arms and *none* were destitute of ammunition.

"The Texan army reached the Navidad on the 14th" page 107. The army reached Daniels' on the Lavaca on the 14th and the Navidad on the 15th.

"He (Genl. Houston) reached this point (Burnham's) on the evening of the 17th" *ibid.*

I feel almost confident that the army reached Burnham's on the 16th.

"On the 27th the army resumed its march and reached the timbers of the Brazos; and on the 28th it arrived at San Felipe" page 114 vol. 2.

It is true that the army reached the timbers of the Brazos or rather the waters of the that [*sic*] river, on the 27th, but it certainly did not march to San Felipe on the 28th—but *up the river towards Groce's.*

[*"*]On the 31st the soldiers buried the only one of their comrades who died a natural death during the campaign." vol 2 page 116. The soldier alluded to was doubtless Felix G. Wright—He was the *first* but not by any means the *only* soldier who died a natural death during the campaign. He was buried on the 30th instead of 31st.

"After marching twelve miles the Texans halted at one o'clock on the morning of the 20th at a beautiful spot in the prairie." vol. 2. page 136.

The distance is over-estimated.

"Bray's bayou runs into Buffalo Bayou at Harrisburg, on the right bank. Five miles farther down towards the bay, over Vines Bayou is Vines bridge. \* \* \* After the main body of the Mexican reinforcement under General Cos had passed Bray's bayou and while the rear-guard was crossing over, the wagoners and some others of the Texan camp-guard near Harrisburg, hearing the noise, paraded under the command of wagon-master Rhorer, made a forced march to the bayou and gave them a volley, which so alarmed them that they turned and fled towards the Brazos scattering and

leaving their baggage on the road. The wagoners thereupon crossed over and gathered quite a supply." vol 2. page 141.

Most of the foregoing statement is incorrect. (See "recollections of a private in the Texian army.")

The account of the capture of Santa Anna on pages 146 & 147, vol. 2—is also incorrect. It founded on a letter of Jas. A. Sylvester of Capt. Woods comp—Sylvester wished, apparently, to monopolize all the credit of Santa Anna's capture. Some of his statements are doubtless *false* and I well remember were so pronounced when they were first published, in 1836.

[16.] *Captors of Santa Anna.*

I am credibly informed that David Cole (now residing in Colorado county, and quite blind), claims to have been, and probably was, one of the captors of Santa Anna.—This completes the list—viz:

Robinson.  
Thompson.  
Sylvester.  
Vermillion.  
Miles.  
Cole.

[17.] *Corrections of some errors in the first volume which I sent to you.*

In the recollections of Joel W. Robinson, in the account of the attack on the Kechi tribe in 1835, it should have been stated that two of the Indians were killed—after which their village was burned. Papers were found in the village which were known to have been on the person of a young man named Edwards who was killed by Indians 20 miles below Bastrop, a few months previously.

In the recollections of G. Kuykendall in the account of the attack on the Carancawa camp at the mouth of Scull Creek in the year 1823, it is stated that Judge Rabb remained with the Tonkewa chief, Carita, in charge of the horses of the party. This is a mistake. The name of the white man left in charge of the horses, is not known.

In the Biographical sketch of John Ingram it is stated that Ingram led a party of 19 settlers against the Carancawas who were encamped on Live oak Bayou (in 1831) [.]. Buckner commanded the party—Ingram was subordinate to Buckner. (second in command.)

MRS. MARY JANE BRISCOE.

MRS. ADELE B. LOOSCAN,

HISTORIAN, DAUGHTERS OF THE REPUBLIC OF TEXAS.

The following sketch of Mrs. Briscoe by Kate B. Shaifer was published in *The Gulf Messenger* (Houston) for February-March, 1898:

"In the town of St. Genevieve, Missouri, August 17, 1819, Mary Jane, third child of John R. and Jane Birdsall Harris, was born.

"John R. Harris and wife had moved from East Cayuga, New York, and were descended from two of the oldest pioneer families of the colonists; the former from the historic Harris family of Pennsylvania, and the latter from Nathan Birdsall, who settled on Long Island 1657.

....."There were [then] few white settlers in St. Genevieve, and they were mostly French, but within a few rods of Mr. Harris' home, about 500 friendly Indians were encamped, and his young child created much interest among the squaws, and was called by them "the little white papoose", who was probably the first white babe they had ever seen.

"Among the few residents from the eastern states, was Moses Austin, from Virginia, and an acquaintance and friendship soon sprang up between the families of Austin and Harris, which resulted in their removal to Texas. Moses Austin was then considering a scheme for the colonization of Texas which scheme impressed J. R. Harris so favorably, that he determined to embark in the enterprise.

"Not wishing to leave his family unprotected in Missouri, Mr. Harris determined to have them return to New York, while he with Austin, explored the resources of Texas. Accordingly he provided a good team for the long overland journey to Cayuga, and accompanied them as far Vincennes. Here he bade them goodbye, and thenceforth throughout the long trip, the whole responsibility rested upon the wife [who was accompanied by a young brother and a sister in law].

5-Q

"After parting with his family at Vincennes. . . . . Mr. Harris went to New Orleans and thence to Texas, where he selected his location; and in 1824 received from the Mexican government a grant of 4,425 acres of land which he located at the junction of Buffalo and Bray's bayous, and in 1826 laid out a town and called it Harrisburg; but remembering the hardships experienced by his family in Missouri, and realizing the still greater trials of colonists in Texas, he would not consent that they should join him until he could at least assure them of a comfortable home.

"The country abounded in fine timber, and with an eye to business, Mr. Harris erected a steam saw-mill, equipped it with machinery and went to New Orleans to procure belting for same. He took passage on a schooner called *The Rights of Man*, owned by himself and brother, which plied between these two places; but scarcely had he reached his destination, when he was seized with yellow fever and died August 21, 1829.

"Feeling that she could do nothing until her sons arrived at an age to be helpful, the widow, Mrs. Jane Harris, and her children, remained with her father in New York till in 1833, when in company with her eldest son, De Witt Clinton Harris, she made the journey to Texas. Arriving at Harrisburg, she found the mill doing a flourishing business, managed by one of [her] husband's brothers, and a number of families . . . already settled in the town. Mrs. Harris opened a farm and soon made a comfortable home, but even then the rebellion of the colonists against Mexico was impending, and soon there were occurrences that imperiled personal safety.

"In June 1835, De Witt Clinton Harris, having gone to Anahuac to purchase goods of Mr. Andrew Briscoe, was arrested and thrown into prison for refusing to apply to the customhouse officials for a permit to remove the goods.

"From this time there was no longer any feeling of security, and events moved rapidly along, culminating in the war for independence, which the early settlers of Texas fought. Conspicuous among those who took an active part, were members of Mrs. Harris' own household and intimate friends.

"All who are familiar with Texas history will remember how the inhabitants of Harrisburg fled to Galveston Island; of the sacking and burning of the village by Santa Anna, and how, after the

Texan victory at San Jacinto, the refugees returned to their desolate homes.

"However, matters did not remain in this state for a great length of time. The same sterling qualities and brave, adventurous spirit that brought the pioneers into Texas, now stood them in good stead. Tents were spread until houses could be built, and all manner of trials cheerfully borne—thus bridging the time . . . [until] a crop could be raised and prosperity resume its reign.

....."[Meanwhile the] 'little white papoose', [now] grown to young womanhood in her grandfather's home on the Seneca river, was anxiously awaiting a summons to join the mother and brothers in far away Texas.....At last the summons from her mother came, and in October 1836, Mary Jane, in company with her grandfather and several other relatives left New York for Texas. She tells [in her reminiscences] of the many friends who gathered to see them start on their long journey, for in those days there was no rapid transit to Texas, and these relations and friends knew that it was separation for years, if not for all time.....[Again] she tells.....of the drive of 80 miles by stage to Buffalo, from which they took passage on a lake steamer for Cleveland, Ohio, but a dreadful gale overtook them, and after buffeting with the wind and waves, they at last put in to the Canada shore, where they tied up for two night and a day; also of how she and a young Quakeress nursed and tended the sick passengers, of whom there were many, and of how, after the third day, they got back to Buffalo, where the vessel had to undergo repairs.

"[They] could not brook this delay, so took passage on another boat and made a safe run to Cleveland; thence [they traveled] by canal to Portsmouth, from there to Cincinnati, and so on, by slow transits and many changes, [until] they reached New Orleans on the first day of November.....

"After a week spent in this city, [they] embarked on the *Julius Cæsar*, crossing the Gulf of Mexico to Quintana, at the mouth of the Brazos. There were but a few houses at this point—roughly built—the most comfortable one being a two-story boarding house, and there they stayed a few days, meeting and being introduced to many men who had lately made their names famous in heroic action. One story is told of how the young girl from New York State watched through the wide crack in the partition wall, the

notorious Monroe Edwards, as he sat at table eating; of how his entire meal seemed to consist of sweet potatoes, and of the huge proportions assumed by the pile of skins at the side of his plate; of his rich and gaudy attire, his flashing diamonds, and his gaily caparisoned horse.

"The next stage of the journey was . . . on board the *Yellowstone* to Brazoria, where two weeks were spent at the boarding house of Mrs. Jane Long, whose romantic history was listened to with unflagging interest by all.

"The first congress of the Republic of Texas was in session at Columbia, only a few miles distant, and General Sam Houston, the President, with other distinguished men, were frequent guests at Mrs. Long's.....

"The final stage of the trip to Harrisburg was made on horse-back, the distance being about 50 miles, and nearly every foot being covered by water—Mrs. Harris standing in her doorway, saw them from afar, and impatiently waited to welcome them—and such a welcome after years of separation, hardships and dangers!.....

"A mutual affection sprang up between Miss Harris and Captain Briscoe and on August 17, 1837, her eighteenth birthday, they were married by Mr. Isaac Batterson, a Justice of the Peace.

"Shortly after his marriage, Captain Briscoe received an appointment from President Houston as Chief Justice of Harris county, and this necessitated his living in the city of Houston, in view of which he purchased a two-story house in process of building on Main street (the first one ever built there), one block from the Capitol. At the expiration of his term of office, Mr. Briscoe returned to Harrisburg, built a brick house and engaged in the cattle business. Here in the pursuit of a healthful and lucrative business, he and his wife enjoyed, for ten years, that full measure of happiness that comes to congenially mated people. Many hours were passed in intellectual pursuits, reading together their favorite authors, and when desiring a change, the young wife being fond of horse-back exercise, . . . would accompany her husband on excursions to the prairies, when attending to his cattle interests. In his trips over the unsettled country to look after land that had come to them through purchase, or as grants from government, they often penetrated regions into which savage Indians made incursions every few weeks.....



"Five children were born to Mr. and Mrs. Briscoe, one of which died in infancy. When the eldest arrived at an age to require school advantages, his father decided to remove to New Orleans and engage in a banking business, and so, in the spring of 1849, the move was made, but scarcely had the enterprise begun when its head and founder was taken sick and died on the 4th day of October. General Parmenas Briscoe being present at the deathbed of his son, closed up the business and took the young widow and her children to his plantation home in Claiborne county, Mississippi, and the remains of Captain Andrew Briscoe were laid to rest in the old family burying ground.

"Here Mrs. Briscoe remained for three years, at the end of which time, St. Paul's college having been established at Anderson, Texas, the family removed to that place; but this college enterprise failed in 1856, and the family then went to Galveston and remained until 1859, when at the earnest solicitation of Mrs. Harris, they returned to Harrisburg and shared with her the old family homestead in which Mrs. Briscoe had been married, and which had been built on the site of the original home burnt by the Mexicans.

"Mrs. Briscoe lost her mother in 1869, but she, with her family, continued to live in the old home. Her second son, Andrew Bird-sall, was married to Anna F. Paine on the 28th of February, 1871, and her daughter, Jessie Wade, became the wife of Milton G. Howe, September 17, 1873. In 1874 Mrs. Briscoe moved to Houston, where she has resided ever since. On September 13, 1881, her youngest daughter, Adele Lubbock was married to Michael Looscan. Her oldest son, Parmenas, has never married, and has always made his mother's pleasure his first care.

"At the breaking out of the civil war, Mrs. Briscoe, with true Southern patriotism, willingly gave her sons to the service of the Confederacy and her heart and home were always open to the sick and needy soldiers. She cherishes an ardent love for everything connected with the first years of her life in Texas; feels great pride in her father's and mother's association with its early history, and one of the happiest occasions of her advanced life is the annual reunion of the Texas Veteran Association."

Mrs. Briscoe was one of the organizers of the Daughters of the Republic of Texas; a meeting for its formation being called at her home in Houston on November 6, 1891, she was elected First Vice

President, a position which she held continuously up to the time of her death. She was ever keenly alive to the interests of the Society, and up to June 29, 1897, notwithstanding her advanced age, did as much active service as the younger members. On the eve of that day, upon the occasion of the closing exercises of the Academy of the Incarnate Word, a convent situated just opposite her own residence, acting for the Daughters of the Republic of Texas, she presented this school with lithograph portraits of Austin and Houston, and in a short address inculcated the necessity for a knowledge of the history of our own State, and a deep reverence for our heroic past. This was the last time she was able to serve the cause she loved so well, for, a few hours afterwards, she sustained a serious injury, by slipping, as she ascended the front steps of her residence; she never recovered the use of her lower limbs, and passed the remnant of her life in strict retirement.

By means of a rolling chair, and an elevator constructed by her eldest son for her use, she was enabled to move throughout her home, and thus participated in many of the meetings of the San Jacinto Chapter, Daughters of the Republic of Texas, which were often held in her parlor. Several times during her long confinement of nearly six years, through the kindness of their teacher, Miss Mary Roper, some of the classes from the High School would visit her, and rehearse their exercises, prepared for the celebration of Washington's birthday and the Texas Holidays. These occasions were red letter days in her life, and were highly prized by the boys and girls, who delighted in hearing her tell of having seen Lafayette in 1825, as well as of her acquaintance with Houston, Rusk, and others of the Texas revolution; their crowning pleasure, however, consisted in being accorded the privilege of reading Travis's autograph letter to Andrew Briscoe, written just at the beginning of the revolution.

A few years before Mrs. Briscoe's accident, she was elected first President of the Sheltering Arms, a home in Houston for aged women and for those of any age needing a temporary home while seeking employment. This institution, organized under the fostering care of Christ Church always held an important place in her thought. She was reared in the Protestant Episcopal Church and was confirmed by Right Reverend Bishop Freeman, in the early days of church organization in Texas.

As a descendant of revolutionary sires, she became affiliated with the first society of Daughters of the Revolution organized in Texas, with Mrs. French state regent at San Antonio. In her own home, the two chapters, Robert E. Lee, and Oran M. Roberts, of the United Daughters of the Confederacy endowed her with honorary membership.

As a charter member and first treasurer of the Ladies' Reading Club of Houston, the first club in the State to publish its constitution and by laws, and issue yearly reports, she was a pioneer club woman. Her historical sketches, character drawings, and reminiscences, were usually marked by a vein of quiet humor which made them most acceptable to the literary program of the Club.

These organizations were unfailing in delicate attentions to her during her years of invalidism, and when the end came, they vied with each other and with other living friends in sweet tribute to her memory. Mrs. Briscoe died at her home in Houston, Texas, March 8, 1903. The last sad rites of the church were beautifully blended with features strongly illustrative of her patriotic character. As the cadets of St. Andrew, clad in gray uniforms, and bearing the Texas flag escorted her body to Glenwood cemetery, and the closing phrases of the funeral ritual so beautifully prophetic of eternal life were spoken by Rev. H. D. Aves, her pastor, the sweet floral emblems strove to rob the grave of its gloom, and one seemed to hear the words, "Right dear in the sight of the Lord is the death of His Saints."

Endowed with a strong character which impressed itself upon all who came into her life, charity for the faults of others, and patience under suffering were traits never absent from her personality. Her strong mother love consecrated the long years of her widowhood to the interests of her children, while by example and precept she also inculcated love of God and country.

## LETTER FROM SAM HOUSTON.

The following letter is printed from a photogravure of the original sent by Mr. James L. Norris to Judge John H. Reagan, who has placed it among the archives of the Association:

Nashville  
30th Mar 1823.

My dear Governor

Yours of the 11th Inst has come to hand by this days mail, and I beg leave to assure you of the heart felt pleasure which I experience from the perusal of your kind & friendly letters, at all times.

You have not received my last letter, but will find it at New Canton on your return home. It is some time since I learned you were at the agency, and it was announced here, that you had been appointed agent: I was happy to hear it, believing as I did that there was no person in the Union who cou'd more ably discharge the duties of the office. The salary is equal to any office in the gift of this state, and from my idea of the life of an agent—you cou'd meditate with good advantage, that state of being compared to which all things else can be of no avail, as they are finite and temporal, while it is infinite, and Eternal. Solitude is the situation in which we can best ascertain our own hearts. There we derive no reflection from others, but are taught to make enquiry of ourselves. There we can examine ourselves in the abstract—and draw conclusions, unbiased by passion, totally independent of the prejudice of others. We can read the Scriptures, and pursue their precepts.

But I cannot pretend to recommend any course to you; you have become a candidate for the senate, and I did anticipate much pleasure in seeing you, and spending some time with you; at Murfreesboro. If you do not accept the agency (for I have no doubt but you will receive the app't) I will yet expect to see you. As for myself I have no opposition as yet for congress, and trust I will have none. I am on the alert, shou'd any opposition arise.

You wou'd dislike that any difference shou'd take place between your "political sons" and no one wou'd deprecate the event more than myself. But I apprehend a coolness on part of Maj G—m[.] I am not satisfied of the fact, and will make every allowance until I ascertain the truth[.] I never quit a friend until I see a disinclination on his part to be friendly with me[.] I dearly love my friends because they have been everything to me[.] I part with them

as the Miser does his treasure with anguish and regret[.] Therefore I will calmly await the event. I wish no hint of this matter!

Will you please state to me the probable quantity of land, within the chartered limits of this State, to which the Indian title is not extinguished, and the probable amount of money it would bring if sold. I wish this information now, if you please. May all felicity, and every success present and future be yours. Unalterably thy friend

SAM HOUSTON.

Gov Jos McMinn.

## BOOK REVIEWS AND NOTICES.

*Out West*, in continuation of the series entitled *Early English Voyages to the Pacific Coast of America (from their own, and contemporary English; accounts)* prints in the February number a narrative of Sir Thomas Cavendish (1587), and in the March number begins one of Wm. Dampier (1686), which is continued in subsequent issues.

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Among recent gifts to the Association is a reprint from *The American Geologist* for March, 1902, of an appreciative sketch of Dr. Ferdinand v. Roemer, "the Father of Texas Geology," by Dr. Frederick W. Simonds of the University of Texas. It contains a brief account of the general scientific activities of a man in whom was spoiled what would probably have been a poor lawyer to make an eminent geologist and broad scholar. The latter part of it is a list of publications by v. Roemer on subjects relating to North America. The most interesting part to Americans, and especially to Texans, is the description of the pioneer work in the Geology of Texas that won for him the title above quoted. The author of the sketch has been honored by its being reprinted by permission in the *Geological Magazine* of London.

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*The Gulf States Historical Magazine*. For March, 1903 (Vol. I, No. 5), the contents are as follows: *Col. Charles C. Jones, Jr.*, by Charles E. Jones; *Yancey: A Study* (concluded), by John W. DuBose; *The Bonapartists in Alabama*, by Anne Bozeman Lyon; *The Louisiana Historical Society*, by Alcée Fortier; *De Soto in Florida*, by Charles A. Choate; *Early Railroads in Alabama*, by Ulrich B. Phillips; *Newspaper Files in the Library of the Georgia Historical Society*, by William Hardin; *The Abercrombie and Hayden Branch of the Fisher Family*, by Mrs. F. R. Abercrombie; *Brief Memoranda Concerning a Southern Line of the Sands Family*; Documents; Minor Topics; Notes and Queries; Historical News; Book Notes and Reviews; Reviews.

For May (Vol. I, No. 6) the contents are: *Forgotten Southern Authors*, by A. J. Miller; *Louisiana Affairs in 1804*, by W. C. C.

Claiborne; *Coal Barging in War Times, 1861-1865*, by W. H. Blake; *The Absentee Shawnee Indians*, by Henry S. Halbert; *Bibliographical Notes*, by William Been; *Newspaper Files in the Carnegie Library of Atlanta*; *Alabama Newspaper Files in the Library of the American Antiquarian Society*; *Farley Gleanings*, by Mrs. Wm. C. Stubbs; *Myths of the Cherokee*, by O. D. Street; Documents; Minor Topics; etc.

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*The American Historical Review* for April (Vol. VIII, No. 3) begins with a report of the meeting of the American Historical Association held at Philadelphia in December, 1902. The meeting, says the secretary, "was in all respects successful and satisfactory. Many members were in attendance, the programme was excellent, and there was everywhere indication of the great activity and vitality of the Association, and of the work it is doing for the promotion of historical scholarship in America. \* \* \* The most important new enterprise undertaken by the Association was a plan for securing the publication of a series of reprints of valuable early American narratives. This plan was approved by the Council and favored by the Association." Professor J. Franklin Jameson was chosen general editor of the series. The next meeting of the Association will be held during the Christmas holidays at New Orleans. THE QUARTERLY hopes that a goodly number from the Southwest will attend.

The *Review* contains three signed articles. Gaillard T. Lapsley contributes *The Origin of Property in Land*; Simeon E. Baldwin writes on *American Business Corporations Before 1789*; and Henry E. Bourne on *American Constitutional Precedents in the French National Assembly*. The documents printed are: *George Rogers Clark and the Kaskaskia Campaign, 1777-1778*; *A Letter from De Vergennes to Lafayette, 1780*; *Portions of Charles Pinckney's Plan for a Constitution, 1787*; *A Letter of James Nicholson, 1803*.

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*Publications of the Southern History Association*, Vol. VII, No. 3 (May, 1903). In the first ten pages of this number the editor, Dr. Colyer Meriwether, prints a collection of letters which show what the Southern States are doing toward the collection of rosters of their men in the Confederate Army. It appears that the collec-

tion in South Carolina is fairly complete, though no steps have been taken toward publication; North Carolina as early as 1882 published four volumes, aggregating 2548 pages, but the work was carelessly done and in some cases deliberately falsified; Alabama has gone far toward getting its records in shape; and some attention has been given to the work by Mississippi; no report was received from Virginia and Missouri, but the other States make a very poor showing. The War Department has determined to take up the work of publishing these muster rolls so far as they can be furnished by the separate States, and letters have been addressed by the Department to the respective governors requesting their energetic co-operation. The work of collection must be done by the States.

The remainder of the number, except the reviews and notices, consists of documents: (1) *The Duane Letters* (continued); (2) *A Southern Sulky Ride* (concluded); (3) *General Joseph Martin* (continued); (4) *Texas Revolutionary Sentiment* (continued)—these documents consist mainly of the proceedings of public meetings and committees of safety during 1835, and exhibit the development of the revolutionary sentiment with the reasons therefor; (5) *Early Quaker Records in Virginia* (concluded).

At the meeting of the American Historical Association in December, 1901, a committee of Southern members was appointed to prepare a report on History Teaching in the South. Their report was published in the *School Review*, February, 1903, and in his review of it the editor of the *Publications* says: "It is to be regretted though that the committee did not openly frown on the weak presumption of a half dozen or so institutions in trying to give graduate courses and degrees. The Johns Hopkins alone, south of Mason and Dixon's line, is competent to do this." As to the degrees, THE QUARTERLY emphatically says amen; but if Dr. Meriwether means exactly what he says about graduate "courses," THE QUARTERLY begs the personal privilege of explaining that the University of Texas possesses both the competency and facilities for giving graduate history courses. The proof of this is the recognition accorded these courses by the graduate institutions of the North and East. This, of course, must not be understood to mean that the University of Texas confers the degree of Ph. D.



*Texas: A Contest of Civilization*, by George P. Garrison. [American Commonwealths Series.] (New York and Boston: Houghton, Mifflin & Co. 1903. Pp., 311.)

The above is the title of a most interesting book from the pen of Dr. George P. Garrison, Professor of History in the University of Texas, which is just issued.

A glance at the list of authors of the volumes already published and of those in preparation shows that the editor of the series has used rare judgment in selecting and has been fortunate in securing the services of distinguished men. It was with pride that some time ago I heard that Dr. Garrison had been invited to enter this goodly company. Since his work has been completed and his book put before the public, I feel that congratulations should be extended and the "goodly company" be felicitated in finding Dr. Garrison among themselves.

Were it not for the first sentence of the preface, the book might be mistaken for a history of Texas. The author, however, declares that this is not so, and I feel constrained to yield this much to his superior information, and say it is not a history of Texas, but is a history of the growth of Texas.

Then two things which tend most to prevent general reading of history are: First, the interminable detail with which the average historian prosed along, and second, the persistency with which he thrusts personalities forward. What does the ordinary reader care, whether John Smith or Peter Jones commanded in a certain battle or whether he had 1700 or 1900 men? What he and his army and the man on the other side and his army were fighting about—is the real question. What forces, political, social, religious, or financial, brought on the issue, which opposed it, how the conflict was waged, and how determined, and what was the effect on the life and habits and development of the contending parties. Surely a certain meed of praise is due to those who have striven for the right and a certain amount of censure to those who have upheld the wrong, but these personal matters are merely incidental. The great question is, What of the State, in all its diversified life and varied interests? How and why did it originate? What forces have directed its destiny and what is the outcome, in its present status and institutions?

If this be a correct theory of history writing, all lovers of Texas

should be grateful to Dr. Garrison for the way in which he has illustrated it in the book under consideration. Beginning with the earliest records he has patiently searched out and tried all possible sources of information, and having faithfully performed this wearying labor, he comes to us with the wrought out results, the finished product of his mind. His the toil and the pain, ours the benefit and the pleasure.

Probably the most noticeable thing about the book, after the absence of detail, is its breadth of view. Matters which the mere local historian would deem little more than neighborhood quarrels, from the author's broader information are shown to result from revolutions in Europe, or diplomacy, or treachery of men high in official position in the United States. So throughout the work, nothing is dealt with as purely local, but everything it looked upon as a part of the world's march of progress. The book ought to do good in forcing Texans away from provincialism.

While the work is free from tedious personal detail, it yet gives some most interesting insight into individual character. Take for illustration the portrayal of the self-suppression of Stephen F. Austin in his endeavor to obtain the approval of the federal government of Mexico of the proposed State constitution of Texas, prepared by the convention of 1833. Similar character touches appear throughout the book.

Special emphasis is given to the presence, insistence, growth, and success of the sentiment in favor of public education in Texas, and of the system of schools established in response to it.

Perhaps too little is said of religious matters except in connection with the early Spanish Mexican missions, and in vindication of Austin from charges of insincerity in regard to the terms of his contracts regarding Catholicism. So far as the Republic and State are concerned, it is only by inference that we have any idea as to the prevailing religion or its influence upon the growth and destiny of the people.

The book treats quite clearly the effects of European politics, if contentions between different nations, each seeking its own interest, can be called by that name, upon the settlement and development of the country and its governmental institutions up to the time of annexation. It gives tersely, but accurately, the general situation of the country when Austin sought and obtained permission to plant

his colony, and the responsibilities undertaken by him in carrying out the scheme. "The final decree conferring the grant gave Austin authority under direct responsibility to the Governor of Texas and the general commandant of the Eastern Internal Provinces to organize the colony into a body of militia commanded by himself; to administer justice and to preserve good order and tranquillity." How crude and unorganized were the social and political conditions under which such a grant could emanate from a government or be carried out among a people. We hear much of "one man power," but seldom do we find a more ultra example of centralization of authority than here. Austin was the sole depository of all military authority and at the same time were united in him full legislative, judicial, and executive jurisdictions, subject only to his responsibility to the distant government. The reviewer most heartily concurs in the opinion expressed by the deputation of Nuevo Leon, Coahuila, and Texas, that Austin needed no help from them as "his powers under the decree of the general government were ample." The people with whom Austin had to deal as colonists were accustomed to self-government, and Austin knew their genius and temper; so, while he kept general supervision and reserved authority in himself for use in emergencies, he exercised most of this "ample power" by coöperating with and supplementing the efforts at local self-government which the colonists were ever putting forth in their several communities.

The book gives quite clearly the numerous and widely variant causes which led to the Texas Revolution and deals in a very interesting way with that unique period in our history. The incidents of the Consultation of 1835, which desired to secede from Coahuila, but remain in the Mexican Republic, are quite graphically portrayed. And the story of that remarkable example of a "house divided against itself," the provisional government, and the war of words among its members is clearly told. The convention of 1836, and its permanent work come in for a due share of praise, but the author does not think much of the scheme of the government *ad interim*, a plan whose single element of strength was found in the provision that its powers should be determined by a majority vote of its own members. The stirring military events of the Revolution are given in a most rational way, special emphasis being laid on the fall of the Alamo and the heroism

of Travis and its other defenders. The days and doings of the Republic find careful consideration. The delicacy of the foreign relations and the effect of the pro-slavery and anti-slavery sentiment upon the question of annexation are interestingly presented. The ever recurring question of Texan boundaries is dealt with, and also the causes of the Mexican war. Then come the days of the statehood, with their unexampled progress, checked only, first by the State's ineffectual efforts to get out of the Union, and second by the equally disastrous methods of getting it back, after it had failed to get out.

The book concludes with a chapter, on "The Texas of Today." This is full of interesting and important information, and the facts enumerated speak volumes for the Texas of tomorrow.

Taken altogether, the book is readable, interesting, and instructive.

JOHN C. TOWNES.

NOTES AND FRAGMENTS.

EARLY COURTS OF FAYETTE COUNTY.—The following facts relative to early sessions of the district court of Fayette County have been furnished by Mrs. Julia Lee Sinks:

Fayette County belonged to the third judicial district of the Republic. The first term of the district court was held in the spring of 1838. Hon. R. M. Williamson was judge, Jerome Alexander<sup>1</sup> was clerk, and H. C. Hudson district attorney. There is no record of the name of the sheriff, but inasmuch as John Breeding appears as incumbent of that office during the second term it may be assumed that he held it also during the first.

The names of the jurors who were summoned for the years 1838 and 1839 are as follows:

Alexander, Robert.	Caldwell, William.
Alley, James,	Canby, Thomas.
Andrews, Micah.*	Chesney, John.
Andrews, Reddin.	Chew, Benjamin F.
Biegle, Joseph.	Chinault, F.
Berman, Henry.	Chodoin, Thomas.
Berry, David.*	Clift, Jesse.
Birt, S. P.	Conkright, John.
Blair, Jonathan.	Cottle, Lee F. T.
Brazil, George W.	Crisswell, John Y.
Breeding, David.	Crisswell, Leroy V.
Breeding, N. B.	Crisswell, William.
Breeding, Richard L.	Crownover, Arthur.
Brookfield, William.	Crownover, John.
Brown, Alexander.	Cunningham, John C.
Burnham, Jesse.*	Dancy, Charles.
Burnham, William P.	Daniel, Joseph P.

<sup>1</sup>Killed in the Dawson fight.

\*San Jacinto soldier.

<sup>2</sup>Killed in the Dawson fight.

<sup>3</sup>One of the Old Three Hundred. [He himself spelled his name Burnam. See THE QUARTERLY, V 12, note.—EDITOR QUARTERLY.]

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Darling, Socrates.  
 Davis, J. L.  
 Dibble, Henry.  
 Earthman, Henry.  
 Eastland, William.<sup>1</sup>  
 English, Henry.  
 Evans, Vincent L.  
 Faison, N. W.<sup>2</sup>  
 Farquhar, Joseph.  
 Farris, William A.  
 Ferril, Hiram.  
 Fitzgerald, Samuel.  
 Fitzgerald, William.  
 Graham, Andrew.  
 Green, James.  
 Grey, Lee.  
 Harper, Jefferson.  
 Hill, Asa.  
 Hill, Jeffrey.  
 Holman, George T.  
 Holman, John.  
 Hopson, Briggs.  
 Hudson, James P.  
 Ingraham, John.  
 Jarman, Richard.  
 Lester, James S.  
 Lewis, William.  
 Lyon, George.  
 Manton, Henry.  
 Maxwell, Thomas.  
 Moore, John H.

Morrow, Aaron.  
 Morrow, Alfred.  
 Morrow, James.  
 Nabors, James.  
 Niel, Joseph.  
 O'Bar, Carson.  
 O'Bar, John.  
 Price, James.  
 Price, Jerry.  
 Prim, William.  
 Rabb, John.  
 Ragsdale, James.  
 Robinson, Joel W.<sup>3</sup>  
 Sargeant, Jasper A.  
 Sarason, Joseph.  
 Scallorn, J. W.  
 Scallorn, Stephen.  
 Sellers, Robert.  
 Simpson, William.  
 Smith, Hezekiah.  
 Snyder, Gottlieb.  
 Spier, George W.  
 Stevens, James.  
 Stewart, Lyman M.  
 Sullivan, D. N. V.  
 Tannehill, Jesse.  
 Taylor, David.  
 Thompson, Thomas.  
 Thompson, William.  
 Townsend, William S.  
 Wells, Dr. James A.

<sup>1</sup>Shot in the decimation at the hacienda del Salado.

<sup>2</sup>Taken prisoner in the Dawson fight. He was thoughtful enough to leave a record of his comrades left alive after the fight on the wall of a house in San Antonio.

<sup>3</sup>Properly spelled Robison. See *THE QUARTERLY*, VI 258.—EDITOR QUARTERLY.

Wistzner, Christian.<sup>1</sup>

Woods, Norman.<sup>3</sup>

Woods, Montville.<sup>2</sup>

Woods, Zadok.<sup>4</sup>

Mrs. Sinks adds the following notes, written during the years 1876-1879:

Nearly forty years have passed since those jurors were impaneled. Judge, clerk, sheriff, lawyers, and jurors have nearly all gone to the unseen land. Each, as the law provided, was then at least twenty-one years of age, and many of them were older. The youngest would now be near the grand climacteric generally allowed to man. A number of them perished in the flush of early manhood. In 1842 the clerk and several of the jurors yielded up their lives in the sanguinary Dawson fight. One was shot in the decimation of the Mier prisoners, some perished in prison, and some escaped to die peacefully at home. One and all were soldiers when needed, offering their lives to build the foundations of present prosperity. The Red Fork fight, in which the Texans were commanded by Col. John H. Moore and Capt. Tom Rabb, and the fatal Dawson massacre stand eminent as part of the history of the county. Each took his share of the vicissitudes of the pioneer settlement, bearing its privations and bravely standing on its defense, and Fayette may well cherish with pride the memory of her early sons.

There were only two presentments by the first grand jury, one for breach of the revenue laws, and the other for horse stealing. There were but two cases on the civil docket, and both were dismissed at the cost of the plaintiff. A fine of one hundred dollars was entered against each of the six absent jurors, to be made final at the next term of the court, unless satisfactory reasons to the contrary should be given. Thus it will be seen how the dignity of the law was upheld;—four cases, and fines for non-attendance of jurors amounting to six hundred dollars!

At this term of the court two applications for admission to the bar were made and granted, one by Thomas W. Cox, the other by Willard Wadham. The judge appointed as examiners James R.

<sup>1</sup>San Jacinto soldier. [The name is spelled "Winner" in the published lists. The names of Wm. Crisswell, James S. Lester, and Joel W. Robison of this list also appear in the roll of those taking part in the battle of San Jacinto, though Crisswell is spelled there with one s.—EDITOR QUARTERLY.]

<sup>2</sup>Killed in the Dawson fight.

<sup>3</sup>Died in Perote Prison.

<sup>4</sup>Killed in the Dawson fight. Father of Montville Woods. [Brown says (*History of Texas*, II 227) what seems to mean that Zadok Woods was father of Norman B. Woods and of Gonzalvo Woods, who escaped from the Dawson massacre.—EDITOR QUARTERLY.]

Jenkins on the civil law, John Hemphill (afterwards chief justice) on the common law, and Solicitor Hudson on the criminal law.

The last of these was of Scotch antecedents, and was frequently called among his friends "Sir Jeffrey Hudson." He prided himself on his intimate knowledge of Scotch literature. The writer still has in her possession a list of all the Scottish clans with their distinctive badges sent her by "Sir Jeffrey" many years ago.

Mr. Cox, together with another Fayette County man, Mr. John Blackburn, was among those Mier prisoners whom the Mexicans failed to recapture after they broke away from their captors at the hacienda del Salado. I well remember the address he delivered in La Grange after his escape from Mexico, and with what eagerness the people flocked to hear his tale of daring. He was a man of much native eloquence, and the graphic description he gave of his adventures made a strong impression upon his hearers.<sup>1</sup>

<sup>1</sup>Still another Fayette County man who was among those not recaptured after the affair at the hacienda del Salado was Rufus Alexander. He escaped in company with William Oldham. A full account of their adventures would have made an interesting page in history, but with frequent promises I was defeated in getting the proper memoranda for it.



## AFFAIRS OF THE ASSOCIATION.

There is under consideration an amendment to the constitution of the Association that will probably be offered at the next meeting. The proposed amendment would establish a small initiation fee for the fellowship and lower the annual dues of fellows to the general level of two dollars. The fee for life membership would, of course, be correspondingly lowered.

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The annual meeting of the Texas State Historical Association was held at Baylor University, Waco, April 21, 1903, 2:30 p. m. Vice-President F. R. Lubbock occupied the chair. The election of officers for the ensuing year resulted as follows: Judge John H. Reagan was re-elected president, President D. F. Houston first vice-president, Mrs. Julia Lee Sinks second vice-president, ex-Governor F. R. Lubbock third vice-president, Mr. T. S. Miller fourth vice-president, and Mr. E. C. Barker corresponding secretary and treasurer; Judge Z. T. Fulmore was elected member of the council from the fellows for the term ending 1906, and Judge Beauregard Bryan member of council from the members for the term ending in 1908. Seventy-three new members were elected whose names are as follows:

J. Pinckney Henderson Adams, 50 West 94th Street, New York City, N. Y.

W. H. Adamson, Marshall, Texas.

L. B. Allen, Roby, Texas.

B. J. Benton, Nocona, Texas.

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Western Reserve Historical Society, Cleveland, Ohio.  
Woman's Club of San Angelo, Mrs. C. E. Frazier-Hudson, Sec-  
retary, San Angelo, Texas.  
Dr. Garrison, recording secretary of the Association, made a  
general report of its condition showing that many valuable gifts  
of material had been received during the year, and that there was  
a balance of about eight hundred dollars in the treasury. On  
motion of Mrs. Cornelia Branch Stone a vote of thanks was given  
Dr. Garrison for his faithful work on behalf of the Association.

---

## **Miles Squiers Bennet.**

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**Member Texas Veterans' Association, 1873-1903.**

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**Died, May 3, 1903.**

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	American Catholic Historical Researches, Vol. 19, Nos. 3, 4; Vol. 20, Nos. 1, 2.	The Editors.
	American Historical Review (The), Vol. 8, Nos. 1, 2, 3.	The American Historical Association.
	Annals of Iowa, Vol. 4, No. 1; Vol. 5, Nos. 4, 6, 7; Vol. 6, No. 1.	The Historical Department of Iowa.
	Annual Publications of the Historical Society of Southern California and Pioneer Register, Vols. 4 and 5.	The Society.
	Annual Report of the American Historical Association, 1901, Vols. 1 and 2.	The Association.
	Annual Report of the Connecticut Historical Society, 1902, 1903.	The Society.
	Annual Report (First) of the Director of the Department of Archives and History.	The State of Mississippi.
	Annual Report of the Historical and Philosophical Society of Ohio, December, 1902.	The Society.
	Annual Report of the Ontario Historical Society, 1901-1902.	The Society.
	Annual Report of the Secretary of the Board of Regents of the University of California, 1901.	The University.
	Antiquarisk Tidskrift för Sverige, 1902.	The Editor.
Rev. C. Urbantke.....	Aus Meinen Lebensführungen.....	The Author.
Col. Bennet H. Young.....	Battle of the Thames (The).....	The Filson Club.
William F. Yost.....	Bibliography of Justin Winsor (A).	Harvard University Library.
	Bonham [Texas] News (The) Nov. 11, 1898.	
	Bucknell Mirror, Vol. 22, No. 8.....	George P. Garrison.
	Bulletin of Kansas University, Vol. 3, Nos. 6, 8.	The University.
	Bulletin of the University of Oregon, History series, Vol. 1, No. 2.	The University.
Frank Boaz.....	Bureau of American Ethnology Bulletin, Nos. 26, 29.	The Bureau.
	Calvert [Texas] Chronicle (The), Feb. 24, 1899.	Jas. B. Clark.
	Chicago Academy of Sciences Bulletin, Nos. 3, 4, 5, Special Bulletin No. 1.	Edward E. Ayer.
	Chicago Historical Society Report, November, 1902.	The Society.
John W. Burgess.....	Civil War and the Constitution (The), Vols. 1, 2.	The Publishers.
	Collections of the Connecticut Historical Society, Vol. 9.	The Society.
R. G. Thwaites, Editor.....	Collections of the State Historical Society of Wisconsin, Vol. 16.	The Society.
	Colorado College Studies, Vol. 10....	The College.
Hon. E. W. Carmack.....	Courts Martial in the Philippines (Speech in Congress).	The Author.
Sir Wm. Talbot.....	Discoveries of John Lederer (The), 1669-1670.	F. W. Hodge.
Genaro Garcia.....	Dos Antiguas Relaciones de la Florida.	The Author.
C. C. James.....	Early History of the Town of Amherstburg.	The Ontario Historical Society.
H. Hastings, Editor..	Ecclesiastical Records of the State of New York, Vols. 1, 2.	The State of New York.

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	Field Columbian Museum Publications, Nos. 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 43, 44, 48, 49, 50, 52.	The Museum.
Z. N. Morrell.....	Flowers and Fruits of Forty-six Years in Texas.	S. H. Hickman.
	Gulf States Historical Magazine, Vol. 1, Nos. 1, 2, 3, 5, 6.	The Editors.
Alfred J. Hill.....	History of Company E, Sixth Minnesota Volunteer Infantry.	T. H. Lewis.
Benj. F. Shambaugh.....	History of the Constitutions of Iowa.	Historical Department of Iowa.
	Iowa Journal of History and Politics (The), Vol. 1, No. 1.	The Editor.
	Johns Hopkins University Studies in Political and Social Science, Vol. 20, Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10; Vol. 21, Nos. 3, 4, 5.	The University.
J. P. MacLean, Editor.....	Journal of Michael Walters, a Member of the Expedition to Sandusky, 1782.	The Editor.
	Kansas University Quarterly, Vol. 10, No. 4.	The University.
	Kongl. Vitterhets Historie och Antiquitets Akademien's Manadsblad, 1896, 1900.	The Academy.
	Lineage Book of the National Society of the Daughters of the American Revolution, 1895, Vols. 8, 9, 10, 11, 14, 15, 16.	The Society.
	List of Books received at the Library of the Department of State (Washington), Nos. 17, 25, 26.	The Department of State.
	List of Publications of the Department of Agriculture (Washington), August, 1902.	The Department of Agriculture.
	Memoirs of the Peabody Museum of Archaeology, Vol. 2, No. 2.	The Museum.
Benj. F. Shambaugh.....	Messages and Proclamations of the Governors of Iowa, Vols. 1, 2.	State Historical Society of Iowa.
	Missouri Historical Society Collections, Vol. 2, No. 2.	The Society.
	Monuments and Tablets Erected by the Minnesota Valley Historical Society.	The Society.
	Monthly Bulletin of Books Added to the Public Library of the City of Boston, Vol. 4, No. 3.	The Library.
	New England Historical and Genealogical Register, Nos. 223, 224, 225, 226, 227, and Supplement to April number, 1903.	New England Historical and Genealogical Society.
	Nineteenth Annual Report of the Bureau of American Ethnology, Parts 1, 2.	The Bureau.
	New York State Library Bulletin No. 58, History 6.	University of the State of New York.
	Ohio Archaeological and Historical Society Quarterly, Vol. 11, Nos. 1, 2, and Supplement; Vol. 12, No. 1-2; Index to Vols. 1-11.	The Society.
	Old Northwest Genealogical Quarterly, Vol. 5, Nos. 3, 4; Vol. 6, Nos. 1, 2.	Old Northwest Genealogical Society.

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Interstate Commerce Commission.	Preliminary Report on Income From Railways in the United States.	The Commission.
Ohas. W. Dabney .....	Problem in the South (The).....	N. Y. General Education Board. The Society.
	Proceedings of the Bostonian Society, Jan. 10, 1899.	The Society.
	Proceedings of the Grand Lodge of Texas, A. F. and A. M., 1900.	Ingham S. Roberts.
	Proceedings of the New Hampshire Historical Society, Vol. 4, Pt. 1.	The Society.
	Proceedings of the New Jersey Historical Society, Vol. 3, No. 1.	The Society.
	Proceedings of the Rhode Island Historical Society, 1901-1902; 1902-1903.	The Society.
	Proceedings of the State Historical Society of Wisconsin, 1902.	The Society.
	Proceedings of the Vermont Historical Society, 1901-1902.	The Society.
De Alton Saunders .....	Psychological Memoirs (In contributions to Biology, from the Hopkins Seaside Laboratory).	Leland Stanford, Jr., University.
	Publications of the Louisiana Historical Society, Vol. 2, Pt. 2; Vol. 3, Pts. 1, 4.	The Society.
	Publications of the Mississippi Historical Society, Vol. 6.	The Society.
	Publications of the Southern History Association, Vol. 3, Nos. 1, 2, 3, 5, 6; Vol. 7, Nos. 1, 2, 3.	The Association.
	Publications of the University of Cincinnati, Vol. 1, Nos. 1, 4; Vol. 2, Nos. 12, 17.	The University.
	Quarterly of the Oregon Historical Society, Vols. 1 and 2, Indexes; Vol. 3, Nos. 1, 2.	The Society.
	Records of the American Catholic Historical Society of Philadelphia, Vol. 18, Nos. 2, 3, 4; Vol. 19, No. 4.	The Society.
	Records of the Columbia Historical Society, Vol. 2.	The Society.
Rev. Edmond J. P. Schmitt.	Records of the Parish of St. Francis Xavier at Vincennes, 1749-1773.	The Author.
	Report of the Librarian of Congress, 1901, 1902.	The Library of Congress.
	Report of the Librarian of Yale University, August, 1901-July, 1902.	The University.
W. D. Wood ..	Reminiscences of Reconstruction in Texas.	The Author.
T. S. Palmer.....	Review of Economic Ornithology in the United States.	The Author.
Commissioner of Labor....	Sixteenth Annual Report, 1901.....	The United States Government.
Bradford L. Prince.....	Statehood for New Mexico.....	The Author.
Ohas. Francis Adams .....	Sifted Grain and the Grain Sifters (The). South Atlantic Quarterly (The), Vol. 1, Nos. 2, 3, 4; Vol. 2, No. 2.	The Author. The Editor.

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	Stone Idols of New Mexico, a Description of those Belonging to the Historical Society.	The Society.
C. Appleyard.....	Texas: A Patriotic Song.....	Judge W. von Rosenberg.
	Tenth Biennial Report of the Minnesota Valley Historical Society.	The Society.
	Transactions of the McLean County [Ill.] Historical Society, Vol. 2.	The Society.
	Twenty-fourth Annual Report of the Providence Public Library, 1901.	The Library.
	University of Cincinnati Bulletin, Nos. 1, 6, 7, 14.	The University.
	University [of California] Chronicle (The), Vol. 5, Nos. 2, 4; Vol. 6, No. 1.	The University.
	University of Iowa Bulletin, New Series, No. 57.	The University.
	University of Missouri Studies, Vol. 1, Nos. 3, 4, 5; Vol. 2, No. 1.	The University.
	University of Nebraska Studies, Vol. 3, Nos. 1, 2, 4.	The University.
	University of Tennessee Record, Vol. 6, Nos. 1, 2, 3, 4.	The University.
	University of Texas Record (The), Vol. 4, No. 4.	The University.
	University of Texas Mineral Survey, Bulletin No. 4.	The University.
	Virginia Magazine of History and Biography (The), Vol. 10, Nos. 1, 2, 4.	The Editors.
	William and Mary College Quarterly, Vol. 11, Nos. 1, 2, 3.	The Editor.
	Year Book of the Pennsylvania Society of New York, 1902, 1903.	The Society.
C. W. Raines.....	Year Book for Texas, 1901.....	The Compiler.



## TREASURER'S REPORT FOR YEAR ENDING JUNE 30, 1903.

## RECEIPTS.

Balance on hand at last report.....		\$	529 10
I. From dues:			
1	Membership dues for year ending March, 1898.....	\$	2 00
1	" " " " March, 1899.....		2 00
1	" " " " March, 1900.....		2 00
1	" " " " March, 1901.....		2 00
3	" " " " March, 1902.....		6 00
17	" " " " March, 1903.....		84 00
2	" " " " March, 1904.....		4 00
1	" " " " March, 1905.....		2 00
3	" " " " June, 1900.....		6 00
13	" " " " June, 1901.....		26 00
26	" " " " June, 1902.....		58 65
105	" " " " June, 1903.....		209 20
11	" " " " June, 1904.....		22 00
1	" " " " December, 1900.....		2 00
7	" " " " December, 1901.....		14 00
29	" " " " December, 1902.....		57 40
32	" " " " December, 1903.....		64 00
2	Fellowship dues for year ending June, 1902.....		10 00
1	" " " " June, 1903.....		5 00
			522 25
II.	From membership dues collected by draft.....		440 30
III.	From sale of Quarterly.....		30 75
IV.	From contributions (Mrs. Julia Lee Sinks).....		5 00
V.	From U. S. Treasury Department, for canceled revenue stamps.....		15 48
Total.....		\$	1542 88

## EXPENDITURES.

Vouchers.			
No. 19			
21			
22	U. S. Postoffice, stamps.....	\$	94 00
23			
28			
30			
48			
20			
26	Von Boeckmann, Schutze & Co., printing, etc.....		328 49
29			
31			
38			
41	Von Boeckmann-Jones Co., printing, etc.....		302 93
47			
32	H. M. Whaling, typewriting.....		23 45
42			
22	Miss Elizabeth Weeden, commission for soliciting members.....		23 00
24	Miss Edith Weeden, commission for soliciting members....		5 00
25	H. J. Blunt, two Quarterlies (January and July, 1898).....		2 00
27	Ernst Nelson, storing Quarterlies.....		50
30	Eugene Von Boeckmann Pub. Co., ink.....		40
33	E. W. Winkler, indexing Quarterly.....		10 00
34	Miss Ada H. Garrison, clerical assistance.....		5 45
36	University Co-operative Society, paste.....		20
36	Wells-Fargo Express Co., charges.....		1 20
40	B. Wyche, accession book.....		1 28
43	George P. Garrison, for I. E. Wagner (commissions for soliciting members).....		5 00
44	University of the State of New York, express and postage		1 05
45	Eugene C. Barker, express charges.....		1 00
46	Chas. W. Ramsdell, commissions.....		11 65
—	City National Bank, commissions and exchange.....	\$	50 20
			846 72
	37 Deposit in City National Bank bearing 4% interest....		500 00
	Balance on hand, subject to check, July 1, 1903.....		196 16
Total.....		\$	1542 88

Respectfully submitted,

EUGENE C. BARKER, Treasurer.

Approved:

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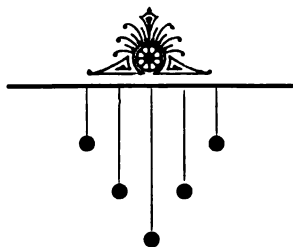
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## THE CHEROKEE INDIANS IN TEXAS.<sup>1</sup>

ERNEST WILLIAM WINKLER.

### I. THE CHEROKEE LAND QUESTION.

#### 1. ORIGIN OF THE CHEROKEE CLAIMS.

Rather than be compelled to make peace and acknowledge the sovereignty of the United States, and be brought in contact with the civilization of the Anglo-Americans, a number of Cherokee Indians, belonging principally to what was known as the hunter class, at the close of the American Revolution abandoned their ancient villages "in the wild and picturesque region where the present States of Tennessee, Alabama, Georgia, and the Carolinas join one another," and removed to the territory of their friend and ally<sup>2</sup> Spain, settling on White River in Louisiana. As the American settler encroached upon their lands in the East, families and small parties of dissatisfied Cherokees would join their brethren in the West. After the United States purchased Louisiana, a larger party of these Indians thought it best to obtain the consent of the president previous to their removal;<sup>3</sup> this and similar requests suggested the policy of the United States of removing all the Indians west.<sup>4</sup> By the end of 1819 about six thousand Cherokees lived

<sup>1</sup>An extension of a thesis presented for the M. A. degree at the University of Texas.

<sup>2</sup>*Carondelet on the Defence of Louisiana, 1794. American Historical Review, II 478.*

<sup>3</sup>*American State Papers. Indian Affairs, II 125, 129.*

<sup>4</sup>*Schoolcraft, Archives of Aboriginal Knowledge, VI 402.*

west of the Mississippi.<sup>1</sup> This large immigration of Cherokees led to trouble, on the one hand, with the aborigines whose hunting grounds they appropriated, and, on the other, with the whites who were opposed to seeing their fertile lands closed to the settler by the presence of the Indians. The government was obliged to interfere in the interest of peace and good order. Again a party of Cherokees packed up their trappings and departed; and again they sought refuge under the hospitable roof of the Spaniard. They crossed the Sabine into the province of Texas, and Spain, which had hitherto sought to expel every Anglo-American immigrant who dared to tread her soil, appears to have raised no objection.

The precise date of the entrance of the Cherokees into Texas has not been ascertained. While yet residing in Arkansas their hunting and trapping expeditions doubtless led them to traverse the plains west and south of the Sabine and Red Rivers. This region was claimed by the Caddoes, but they had already been robbed of a large portion of the western part by the prairie Indians. The Cherokees were friends to the Caddoes. The latter had permitted them to settle upon their lands on the Red River.<sup>2</sup> In the winter of 1819-20 the first party of Cherokees, numbering sixty warriors, removed to Texas<sup>3</sup> and settled near what was then perhaps the boundary line between the Caddoes and prairie Indians.

For over a century Spain had made attempts at colonizing Texas; and down to 1806 she had made at least some progress. At that time the white population of the province numbered about seven thousands souls. Over one hundred thousand head of cattle and between forty and fifty thousand tame horses grazed on the broad prairies.<sup>4</sup> Fifteen hundred soldiers garrisoned the various frontier posts. San Antonio and Nacogdoches had stripped off the garb of such posts and imitated the fashions of the capital. But the outbreak of the struggle for independence in 1810 marks the

<sup>1</sup>C. C. Royce, *The Cherokee Nation*, in the *Report of the American Bureau of Ethnology for 1883-4*, 218.

<sup>2</sup>W. A. Trimble to John C. Calhoun, August 7, 1818, in Jedediah Morse's *Report to the Secretary of War*, 256.

<sup>3</sup>*National Intelligencer*, September 15, 1820.

<sup>4</sup>Almonte's *Noticia Estadística sobre Tejas*, in Filisola's *Memorias para la Historia de la Guerra de Tejas*, II 537.



beginning of a series of disasters for Texas which threatened total depopulation. The revolution soon drew the Comanches and Lipans into the struggle. The troubles in the interior left the farmers and ranchmen on the frontier at the mercy of these Indians, who robbed them, killed them, or made them prisoners.<sup>1</sup> The large number of horses and mules that fell into the hands of the savages they exchanged for guns, ammunition, and whatever else pleased their fancy. The traffic in horses and mules became so extensive that well beaten trails led from the interior of the border provinces to the frontier of the United States, and it proved so lucrative to those engaged in it that the Indians were encouraged to prosecute their robbing and plundering expeditions against Texas, Coahuila, and Nuevo Santander with ever increasing ferocity.<sup>2</sup> Texas in particular suffered almost complete desolation; by 1820 nothing remained but a few scattered settlements in the west.

Although determined to escape the dominion of the Anglo-Saxon, the Cherokees that entered Texas were not savages. They did not wholly depend upon the chase to supply their necessities, but practiced a primitive agriculture in addition and, therefore, occupied a fairly well-marked locality. "They work for their living and dress in cotton cloth of their own manufacture. They raise cattle and horses, and use fire arms. Many of them understand the English language."<sup>3</sup> The earliest statement of the extent of their territory represents them as claiming the region lying between the Trinity and Sabine Rivers north of the San Antonio road.<sup>4</sup> This section includes the greater portion of what in the early history of Texas figured so prominently as the "red lands." They had a deep red soil, very rich, well timbered, well watered,

<sup>1</sup>Juan Antonio Padilla, *Memoria sobre los Indios infieles de la Provincia de Texas*. Diciembre 27 de 1819. Austin Papers.

<sup>2</sup>S. F. Austin to Anastasio Bustamante, May 10, 1822. Austin Papers.

<sup>3</sup>Felix Trespalacios to Gaspar Lopez, Nov. 8, 1822. Bexar Archives. See also Bowles's petition, dated July 16, 1833, and the letter from the political chief to the secretary of State, dated July 20, 1833, quoted below, pp. 158-160.

<sup>4</sup>Statement of Antonio Bulfe (Wolfe ?), very probably the same person that accompanied Fields to Mexico as interpreter (See note 3, p. 100). Alcalde of Nacogdoches to the political chief, September 11, 1824. Bexar Archives.

and adapted to all purposes of agriculture, and they abounded in game, fish, and wild fruits. Iron ore and salt springs were found in places.<sup>1</sup> These advantages together with its delightful climate made this region almost an exact copy of that which the Cherokees had abandoned in the East. It seems that they at once decided to make this the permanent home of their tribe. Profiting by their experience in the land business in the United States, they took the precaution at the very beginning of securing some sort of legal title to the lands they occupied. What the nature of this grant was it is impossible to tell, since no record of it was made. The only information touching it is contained in a letter written by their chief, Richard Fields, to James Dill, the judge of Nacogdoches.

Richard Fields, who figures as the principal chief of the Cherokees in Texas up to the time of his assassination in 1827, was a half-breed, and a man of considerable intelligence. He accompanied a delegation of his tribe to the city of Mexico in 1823-23, joined the York lodge of free masons while there, and at the time of his death was a master mason.<sup>2</sup> He labored earnestly and faithfully for the best interests of his people as he understood them. He appears to have been able to speak English,<sup>3</sup> but could not write his name.<sup>4</sup> He could not speak Spanish and it is quite certain that he could not understand it; for in one of his letters to the alcalde of Nacogdoches he says:

"I wish Satisfactory orders. I had no doubt But the lines I Received from your hand would Be satisfactory If I could understand it[.] I am Determined to wait for them till I hear from you[.] I would Be very glad if you would Send me a Copy of your order that I may know how to act without Danger.

"N. B. I wish you to send it to me in English."<sup>5</sup>

<sup>1</sup>Bonnell, *Topographical Description of Texas*, 10-25, *passim*.

<sup>2</sup>Thrall, *History of Texas*, 539; Yoakum, *History of Texas*, I, 250, note.

<sup>3</sup>Fields acted as interpreter at a treaty held at the Council House in the Chickasaw country, September 19, 1812. *Niles' Weekly Register*, III 166.

<sup>4</sup>As his practice of making his mark which appears in the agreement of Nov. 8, 1822, and in numerous letters shows.

<sup>5</sup>Fields to Procela, April 27, 1825. File 4546, Nacogdoches Archives.

The letter touching their grants, sent by Fields to Dill, reads thus (*verbatim et literatim*):

“feburey the fust Day 1822

“Apacation mad to the subsprem Governer of the Provunce of Spain

“Dear Sir I wish to fall at your feet and omblay ask you what must be Dun with us pur Indians[.] we have som Grants that was give to us when we live under the Spanish goverment and we wish you to send us nuws by the Next mal whather tha wil be Reberbd [reversed(?)] or Not[.] and if wer committed we wil com as soon as posble to persent ourselves befor you in a manner agreeable to our talants if we do pesant ourselves in a Rou maner[.] we pray you to Rite us[.] our intenson ar good to wards the gov-ernment[.] you sas [*sic*] a chaf of the Charkee Nation.

“Richard felds”<sup>1</sup>

This remarkable letter was called forth by the changed conditions resulting from the revolution which had recently freed Mexico from Spain. But why should there be any apprehension on the part of the Indians about their grants not being respected? All holdings in full property of land in Texas were valid and recognized by the new government. However, the grants spoken of by Fields seem not to have conveyed titles in fee simple, but were mere permits from some of the Spanish officials allowing the Cherokees to occupy that section of the province. But what better claims did the Indian possess anywhere else, and what more did a people need who lived by hunting? Grants of this sort, of course, must be confirmed by the new government. What reply, if any, Fields received to his letter the writer has not been able to discover. From the events that follow it is safe to conclude that nothing of importance was done till the fall of the year.

Under date of November 8, 1822, the governor of the province of Texas, Don José Felix Trespalacios, wrote as follows to the commandant general of the Eastern Internal Provinces, Don Gaspar Lopez:

“Captain Richard [Fields] of the Cherokee nation, with twenty-

<sup>1</sup>Bexar Archives. James Dill forwarded this letter with the following note: “this aplation has ben mad to me and I Desire ansncer by the Nex mal and instruct me how I will ansur thar Requeste.”

two more Indians that accompanied him, visited me to ask permission for all belonging to his tribe to settle upon the lands of this province. After I had informed myself through several foreigners, who are acquainted with this nation, that it is the most industrious and useful of the tribes in the United States, I entered with said Captain into the agreement the original of which I send you. This arrangement provides that Captain Richard and six others of his nation with two interpreters, escorted by Lt. Don Ignacio Ronquillo and fifteen men of the Viscayan troop, shall proceed to your headquarters and, if it meet your approval, thence to the court of the Empire.

"The Cherokee nation, according to their statement, numbers 15,000 souls; but there are within the borders of Texas only one hundred warriors and two hundred women and children. They work for their living and dress in cotton cloth which they themselves manufacture. They raise cattle and horses, and use fire-arms. Many of them understand the English language. In my opinion they ought to be useful to the province, for they immediately became subject to its laws and I believe will succeed in putting a stop to carrying stolen animals to the United States and in arresting those evil-doers that infest the roads."<sup>1</sup>

The agreement referred to by Governor Trespalacios in the foregoing letter reads thus:

*"Articles of agreement made and entered into between Captain Richard, of the Cherokee nation, and the Governor of the Province of Texas.*

"Article 1st. That the said chief Richard with five<sup>2</sup> others of his tribe, accompanied by Mr. Antonio Mexia and Antonio Wallk,<sup>3</sup>

<sup>1</sup>Bexar Archives. Translation. This translation, as well as those below, were made from the Spanish originals; and, unless otherwise credited, they were made by the writer.

<sup>2</sup>This is "con otros cinco," but in Trespalacios's letter to Gaspar Lopez, November 8, 1822, in the pass given to Lieutenant Ronquillo, November 10, 1822, and in Gaspar Lopez's reply to Trespalacios, December 14, 1822, the reading is "Capitan Richar y los otros seis."

<sup>3</sup>[Antonio Wolfe (?)] James Dill, judge of Nacogdoches, on October 6, 1822, introduces a man by this name to Governor Trespalacios: "I will interduce the Sittozen Antoney Wolff to your Exeloncey as an gust and honest Sittozen who has been Born and Raised a Spanish Subject." Bexar Archives. The name is also spelled "Gulfo" and "Bulfo."

who act as Interpreters, may proceed to Mexico, to treat with his Imperial Majesty, relative to the settlement which said chief wishes to make for those of his tribe who are already in the territory of Texas, and also for those who are still in the United States.

"Article 2d. That the other Indians in the city, and who do not accompany the beforementioned, will return to their village in the vicinity of Nacogdoches, and communicate to those who are at said village, the terms of this agreement.

"Article 3d. That a party of the warriors of said village must be constantly kept on the road leading from this province to the United States, to prevent stolen animals from being carried thither, and to apprehend and punish those evil disposed foreigners, who form assemblages, and abound on the banks of the river Sabine within the Territory of Texas.

"Article 4th. That the Indians who return to their Town, will appoint as their chief the Indian Captain called Kunetand, alias Tong Turqui, to whom a copy of this agreement will be given, for the satisfaction of those of his tribe, and in order that they may fulfill its stipulations.<sup>1</sup>

"Article 5th. That meanwhile, and until the approval of the Supreme Government is obtained, they may cultivate their lands and sow their crops, in free and peaceful possession.

"Article 6th. That the said Cherokee Indians, will become immediately subject to the laws of the Empire, as well as all others who may tread her soil, and they will also take up arms in defense of the nation if called upon so to do.

"Article 7th. That they shall be considered Hispano-Americans, and entitled to all the rights and privileges granted to such; and to the same protection should it become necessary.

"Article 8th. That they can immediately commence trade with the other inhabitants of the Province, and with the exception of arms and munitions of war, with the tribes of Savages who may not be friendly to us.

"Which Agreement comprising the eight preceding articles, has been executed in the presence of twenty-two Cherokee Indians, of the Baron de Bastrop, who has been pleased to act as Interpreter,

<sup>1</sup>The appointment of this Indian Kunetand appears to have been a suggestion of Fields's; he was commissioned by Governor Trespalacios, Nov. 9, 1822. A copy of the commission is preserved in the Bexar Archives.

of two members of the Ayuntamiento, and two officers of this Garrison. Bexar, 8th November, 1822. [Signed.] José Felix Tres-

his

palacios, José Flores, Nabor Villarreal, Richard X Fields, El Baron  
mark

de Bastrop, Manuel Iturri Castillo, Fran<sup>co</sup> de Castañeda.”<sup>1</sup>

Two subjects stand out prominently in this agreement, and in the governor's letter transmitting it to the commandant general of the Eastern Internal Provinces—land, and Indian depredations; the former brought the Cherokees to Bexar, the latter promised to insure them success. In a paragraph above, the cause and effect of the Comanche War (for thus were the robbing and plundering inroads of these Indians denominated) was touched upon. This war was still in progress in 1822; and one of the principal routes by which the stolen horses and mules reached the United States passed near Nacogdoches, terminating at Natchitoches. There seemed but one way to put an end to these Indian incursions and that was to stop the trade in stolen animals. Exactly how this was to be accomplished with the means at their disposal the Mexican officials did not know. About this time much good was expected to result from simply blockading the trade routes by stationing garrisons, or by making settlements at suitable points.<sup>2</sup> A few years later nothing short of extermination of the Indians<sup>3</sup> promised

<sup>1</sup>*Record of Translations of Empresario Contracts*, 85. General Land Office. This translation was made by Thomas G. Western, translator per contract, in the years 1838-40, and, though it is verbose and arbitrarily punctuated, it is substantially correct; it is the one that has been consulted by most of the writers upon this subject, and, therefore, it has been thought best to present it unchanged.

The collection of MSS. constituting the Spanish archives of the Texas General Land Office has been bound in 67 volumes, numbered consecutively. References in this paper are made to volumes 52-56, the first of these being entitled *Empresario Contracts*, and the other four *Appendix to Empresario Contracts in 4 Volumes*. Translations of the *Empresario Contracts* and of a portion of the materials in the appendix are found in a volume separate from the collection mentioned. This volume is entitled *Record of Translations of Empresario Contracts, List of Grants for Lands, and other Documents*.

<sup>2</sup>S. F. Austin to Anastasio Bustamante, May 10, 1822 (Austin Papers); James Dill to Governor Trespalacios, August 27, 1822 (Bexar Archives).

<sup>3</sup>Political chief to the commander of Texas, September 11, 1825, and March 7, 1826. Bexar Archives.

any relief. Governor Trespalcacios had neither garrisons nor settlers at his disposal, while his province was the worst harried of all by the Comanches; so it appears to have struck him, when Fields and his followers arrived, that he might convert the Cherokees into Spanish-Americans and utilize them in putting an end to the illicit trade carried on by way of the Nacogdoches route. The agreement provides for this, the governor dwelt upon it in his letter to Gaspar Lopez, and Señor Mier pointed to it when the business of the Cherokees came up in the Constituent Congress, April 17, 1823.<sup>1</sup> In what spirit the Indians accepted this duty we are left to conjecture, although subsequent events partially discover their attitude.

The pass<sup>2</sup> issued by the governor to Lieutenant Ronquillo, who was to escort the delegation of Cherokees at least as far as Saltillo, where the commandant general of the Eastern Internal Provinces resided, bears date of November 10, 1822, and it is likely that the Indians set out on their journey from Bexar not long afterward.

Of the six companions of Fields we are furnished the names of two—Bowles and Nicolet.<sup>3</sup> December 14, General Lopez reported to Governor Trespalcacios the arrival of Fields and his party at Saltillo. He approved the steps taken by the governor, and, after having entertained the Indians “como corresponde al caracter generoso de los Mejicanos y franqueandoles 100 pesos para los gastos de su viaje,” sent them on their way to the court of the Empire, where they arrived early in 1823.

Affairs at the capital at this juncture were the most unfavorable possible for the accomplishment of the business the Cherokees had in hand. Iturbide had seen all his efforts to establish himself as emperor prove futile. He was obliged to reassemble the Constituent Congress which he had dissolved in October of the previous year. March 19, he laid down the crown and shortly afterward left the country. It is improbable that the Indians made much

<sup>1</sup>*Diario de Congreso Constituyente*, 291.

<sup>2</sup>The poverty of the government is illustrated by the fact that in Ronquillo's pass the civil and military officials and the managers of the estates along the way are earnestly requested to supply food and lodging free of charge.

<sup>3</sup>Vice Governor Beramendi's Resolution' August 21, 1833 in *Appendix to Empresario Contracts* (General Land Office), III 300; *Texas Almanac for 1858*, 168.

headway in their business during their stay at the capital previous to this date; and, what is to be particularly noted, it would not have availed them much if they had; for the newly assembled congress declared that "all the acts of the late government from the 19th of May to the 29th of March last [1823] are illegal and remain subject to revision by the present government for confirmation or rejection."<sup>1</sup>

The Constituent Congress provisionally vested the executive power in a committee of three, composed of Generals Victoria, Bravo, and Negrete and known as the supreme executive power, which was installed March 30, 1823. Generals Victoria and Bravo served in this capacity during the whole time of the provisional government, and under the constitutive act were chosen the first president and vice-president of the Republic. Lucas Alamán was minister of relations (foreign and home) both under the provisional government and under the Republic until September, 1825.

Fields and his companions appear to have comprehended the effect of this revolution in Mexican affairs; they did not, therefore, leave the capital for Texas, but remained and turned to the new government for lands. No general colonization law having yet been enacted, their petition was laid directly before congress. April 10, 1823, Richard Fields petitioned congress to continue the allowance which had been promised him for his support while at the capital but which had ceased to be paid since ex-Minister Herrera<sup>2</sup> had left the city. His request was granted.<sup>3</sup> April 17, Padre Don Servando Mier, deputy from the province of Monterey,<sup>4</sup> "called attention to the expediency and even the necessity there was for attending to the Cherokees, in order that they might aid our settlements in the province of Texas against the savages who invade it and who have caused dreadful ruin in it." "Sr. Mendiola also stated that those tribes were worthy of attention, since it was within their power to choose to belong to the United States but they

<sup>1</sup>Dublan y Lozano, *Legislación Mexicana. Decreto No. 321*. Translation.

<sup>2</sup>Herrera was Iturbide's minister of relations. Bancroft, *History of Mexico*, IV 736.

<sup>3</sup>*Diario de Congreso Constituyente*, 242, 243.

<sup>4</sup>Bancroft, *History of Mexico*, IV 780.



preferred rather to belong to the Mexican nation: that Don Juan Francisco Azcárate was well posted on this subject, since the preceding government had charged him with this and like matters, and that it was possible, therefore, to ask him to report in order that congress might proceed with full knowledge."<sup>1</sup> The congress adopted Sr. Mendiola's suggestions; but, when Sr. Azcárate reported on April 29, he simply recommended the action which the executive had taken in the meantime.<sup>2</sup>

The action taken by the executive relative to the Cherokees, referred to by Sr. Azcárate, took the form of the following resolution, which was addressed to Don Felipe de la Garza, successor to Gaspar Lopez as commandant general of the Eastern Internal Provinces:

"The Supreme Executive Power, has been pleased to resolve that Richard Fields chief of the Cherokee Tribe of Indians, and his companions now in this Capital, may return to their country, and that they be supplied with whatever may be necessary for that purpose. Therefore, Their Supreme Highnesses have directed me to inform you, that although the agreement made on the 8th November 1822 between Richard Fields and Colonel Felix Trespalcacios Governor of Texas, remains provisionally in force, you are nevertheless, required to be very careful and vigilant, in regard to their settlements, endeavoring to bring them towards the interior, and at places least dangerous, not permitting for the present the entrance of any new families of the Cherokee tribe, until the publication of the General Colonization law, which will establish the rules and regulations to be observed, although the benefits to arise from it, can not be extended to them, in relation to all of which,

<sup>1</sup>*Diario de Congreso Constituyente*, 291. Translation.

For the extracts from the Journal of the Constituent Congress I am indebted to my friend and teacher, the late Mr. Lester Gladstone Bugbee, Adjunct Professor of History in the University of Texas.

<sup>2</sup>*Diario de Congreso Constituyente*, 379.

Sr. Azcárate's report was referred to the committee on colonization. Whether this committee reported thereon, the writer has not been able to ascertain as he has not had access to a copy of the *Diario de Congreso Constituyente*. However, it is very probable that the committee made no report, but put aside the petition of the Cherokees like those of Hayden Edwards, Robert Leftwich, James Wilkinson and others, in order to give its undivided attention to the formulation of a general colonization law which would dispose of all of these petitions.

Their Highnesses intend to consult the Sovereign Congress. That while this is effecting, the families already settled, should be well treated, and the other chiefs also, treated with suitable consideration, provided that those already within our territory respect our laws, and are submissive to our Authorities; and finally, Their Highnesses order, that in future neither these Indians, nor any others be permitted to come to the City of Mexico, but only send their petitions in ample form, for journeys similar to the present, are of no benefit, and only create unnecessary expense to the State. All of which I communicate to you for your information and fulfillment."<sup>1</sup>

Upon the receipt of this resolution Fields and his companions returned to Texas. It will not be amiss to review briefly the results of their visit to the capital; for it is right here that differences of opinion have crept in and have caused writers to misinterpret facts which otherwise should have been quite plain. For instance, Mr. Yoakum, speaking of this visit says, "The business of the Cherokees was soon adjusted. They had already entered into an agreement with Don Felix Trespalcacios, by which they were permitted to enjoy the lands on which they had settled *in common*."<sup>2</sup> The agreement was confirmed by Iturbide on the 27th of April, 1823, with the understanding that the Indians were to retire farther into the interior, and that no additional families of them should immigrate till the publication of the general colonization law."<sup>3</sup> In his footnotes Mr. Yoakum cites the documents quoted above as authority for his statements. It is hard to tell from what part of the agreement he got the idea, which he states so emphatically, that the Indians were to enjoy the land in common. Article 5 is the one which is most explicit on this point, but it furnishes no more argument in favor of the idea that they were to enjoy it in common than for the idea that they were to enjoy it in severalty. As a matter of fact, it was not within the scope of the agreement to determine the form in which they should enjoy or hold their lands.

<sup>1</sup>Alamán, minister of relations, to Felipe de la Garza, commandant general of the Eastern Internal Provinces, April 27, 1823. *Record of Translations of Empresario Contracts* (General Land Office), 85, 86. Translation by Thomas G. Western.

<sup>2</sup>The italics are Mr. Yoakum's.

<sup>3</sup>Yoakum, *History of Texas*, I 216.

That Iturbide did not confirm the agreement on April 27, 1823, is clear, since he had ceased to be emperor more than a month before; however, Bancroft supports Yoakum in this error.<sup>1</sup> Nor can the action of the supreme executive power be interpreted as defining the manner in which the Indians were to hold their lands; on the contrary, this is the very matter they expressly state shall be determined by the general colonization law.

The results of Fields's trip to the city of Mexico as far as land was concerned amounted to this: The agreement with Trespalcios provided that "until the approval of the Supreme Government is obtained, they may cultivate their lands, and sow their crops, in free and peaceful possession." Location of the lands and title to the same were passed over because these were matters upon which Trespalcios could not act. The supreme executive power gave some directions touching the location of the lands, should they be granted, but postponed a decision on the manner in which they should be held by approving the agreement with Trespalcios provisionally; that is, until the general colonization law should be passed "which would establish the rules and regulations to be observed" in the assignment and distribution of land.

The other subject of the agreement and the one that Governor Trespalcios had been so deeply interested in—the part the Cherokees were to play in putting an end to the illicit trade in horses and mules—was passed over by the supreme executive power. In fact, that part of their resolution directing the removal of the Cherokees to some point in the interior and forbidding the entrance of additional families practically annulled it.

## 2. THEIR CLAIMS DEFINED.

It would seem that Fields was quite satisfied with the results of his visit to the city of Mexico. For nearly a year not a word was heard from him. During this time he did as he pleased; and the commandant general of the Eastern Internal Provinces made no attempt to trouble him with the instructions he had received from the government in the resolution of April 27, 1823. In the meantime, too, Trespalcios had ceased to be governor of Texas, and his successor most probably did not know that he had, or was supposed to have, Cherokees among his subjects. Again, therefore, it is the

<sup>1</sup>Bancroft, *North Mexican States and Texas*, II 103, note 8.

Indians that are the first to speak out. March 6, 1824, Fields, who now styled himself captain general of the Indian tribes in the province of Texas, wrote to "the governor or commandant of San Antonio":

"It was my intention on my return from Mexico to present myself at San Antonio in order that the authorities there might examine the papers which I received from the superior government of the nation. But it was impossible to do this, because a party of Comanches had prepared an ambush on the road. However, I had the good fortune to escape them.

"The superior government has granted to me in this province a territory sufficient for me and that part of the tribe of Indians dependent on me to settle on, and also a commission to command all the Indian tribes and nations that are in the four eastern provinces.

"I pray your honor to notify all the Indians within your territory, and particularly the Lipans, that on the 4th of July next I shall in compliance with the order of the supreme government hold a general council of all the Indian tribes at my house in the *ranchería* of the Cherokees twelve miles west of the Sabine river. At this council I shall propose a treaty of peace to all the Indians who are willing to subject themselves to the orders of the government. In case there should be any who may not wish to ratify what I propose, I shall use force of arms to subdue them.

"I beg you to notify the commandant of San Antonio that he shall, for the satisfaction of his people, send some trusted person to aid in the treaty of peace and see how the affair is managed.

"Should it be convenient, have this letter translated into Spanish and have the authorities to send it to Rio Grande and Monclova in which two places I left copies of the documents from the superior government."<sup>1</sup>

The date for the general council mentioned above was changed at first to August 1,<sup>2</sup> and later to August 20. In the letter informing the alcalde of Nacogdoches of this second change, Fields says, "whereas you and myself are both subjects of the same gov-

<sup>1</sup>Bexar Archives. The above is a translation of the Spanish translation retained by the political chief who sent the original in English to the supreme government.

<sup>2</sup>Richard Fields to Francisco Garcia, May 20, 1824. Bexar Archives.

erment, I think it proper to notefy you to attend said treaty for your own sattisfaction that you may see what is done &c.”<sup>1</sup>

However, neither the political chief, who was now the principal civil officer in Texas, nor the commandant at San Antonio appears to have made any reply to Fields’s communications. Wholly ignorant of his plans or the instructions under which he proposed to operate, they turned to the authorities of the general government for information and instructions. August 20, the political chief wrote a letter to Alamán, minister of relations, and enclosed Field’s letters of March 6 and May 20. In his letter the political chief had this to say about the council Fields proposed to hold and of the presence of the Cherokees in Texas generally:

“Notwithstanding that the object of the meeting of the chiefs of the Indian tribes, which he [Fields] is planning, may be directed to some legitimate end, we must confess that besides being unbecoming to the government of the Republic that it would add little honor to the splendor of its arms; it might moreover degenerate into an agency for evil which can not now be estimated, or ultimately develop into the treacherous design of that conspiracy<sup>2</sup> which may already be a result of the seduction that is to be feared if they are permitted to immigrate; or, taking advantage of the decadent and wretched condition of this frontier, they may have persuaded themselves that their power is absolute and intend, therefore, to carry out that treacherous design even though they know nothing of the plot that has been hatched by those of their kind in the interior of the States of this federation.

“For this reason, and in order to protect ourselves against the malignity and perfidy that are engendered in the hostile bosoms of men accustomed to live by robbery and murder,<sup>3</sup> it appears to me

<sup>1</sup>Fields to Juan Seguin, August 1, 1824. File 935, Nacogdoches Archives.

<sup>2</sup>Alamán to political chief, June 26, 1824. “El Gobernador del Estado de Guanajuato há participado al S. P. E. que descubierta en San Pedro Piedragorda una conspiracion tramada por los Indios, cuyo objeto es acabar con los blancos, y sus ramificaciones se estienden por varios puntos de la Republica, há logrado aprender algunos de los complicados en ella, y que en las declaraciones que han dado unos de ellos se dice que al frente debia ponerse el Gran Cado [who lived near Caddo Lake in Eastern Texas] en calidad de Gefe Supremo de las armas.” Bexar Archives.

<sup>3</sup>The political chief doubtless had in mind those traders who fomented the incursions of the Comanches in order to increase the plunder and thus swell their own profits.

that it would be well for the superior government to strengthen its measures for the protection of this frontier with such military force as it may deem competent to quench this and other evils of a similar nature, which till date have disturbed the peace and tranquillity of the States of the Mexican Republic, or else plunge us into an abyss of misfortunes which it will be difficult to remedy afterward."<sup>1</sup>

The positive statement Fields made of the rights and powers said to have been granted him by the general government; the active steps he was even then taking to put them into execution; the gloomy picture the political chief painted of the direful results to the Republic that would assuredly follow if Fields were permitted to have his way,—all this, brought directly and unexpectedly to the notice of the same officials from whom Fields had a year before obtained what rights he possessed, was admirably suited to elicit a reply which would be definite and clear-cut in its statement of the rights Fields did or did not have. Within a remarkably short time—September 18th—Alamán made his reply, which reads as follows:

"I have laid before the Supreme Executive Power, the important contents of the official communication of your Honor, dated 20th August last, relative to your apprehensions of incursions of savages, should the Indian Richard Fields the Chief of the Cherokees Tribe, be permitted to penetrate into the interior of those territories; and of the energetic measures, your Honor is making to ascertain the opinions and sentiments of those tribes in particular, with a view to give the earliest information to the Supreme Government.

"Their Highnesses having given the matter the consideration it merits, and having examined all the documents on the subject, which are in this Department under my charge, direct me to say to your Honor, that it does not appear by the documents, that any commission or grant was made to Fields, for in the official note of 27th April of last year, communicated through this Department to the Commander in Chief of the Eastern Internal Provinces, a copy of which I herewith present to your Honor,<sup>2</sup> nothing is said

<sup>1</sup>Blotter for 1824. Bexar Archives. Translation.

<sup>2</sup>See the document referred to, p. 105 above.

of a new commission, and only that the agreement made by Colonel Trespacios, was approved provisionally, charging him at the same time, not to permit the Indians to advance to such places as might be considered dangerous, your Honor will strictly conform to the provisions of that order.

"I am also directed to notify your Honor, to prevent (Should there yet be time) the assemblage which Fields is endeavoring to make, and not permit him to exercise any authority; to effect which, the Secretary of War will aid you with such Military force as may be necessary. In the meantime, Their Highnesses hope that your Honor will act with all the prudence the nature of the case and circumstances require, and institute such investigations, as may be deemed expedient, of which you will give due notice."<sup>1</sup>

Here, then, we have the claim of both parties stated, not only by the highest authorities on each side, but also by the very persons who have had charge of this matter from the beginning till date. Fields claimed, in the first place, that he had been commissioned to command all the Indian tribes in Texas. He held a council, a report of which in his own words states that, "agreeable to my Directions from goverment I Cald a treety with all tribes of indians in this province—the intention of which was to bring them in union one tribe with another—and all to be under trew subordination to our new republican goverment—all of whome have attended and gladly excepted of the terms offered them, except the Comanchos and Tongkaways—from those two Nations I have received no answer."<sup>2</sup> Upon those who would not ratify his treaty he pro-

<sup>1</sup>*Record of Translations of Empresario Contracts*, 86. Translation by Thomas G. Western.

<sup>2</sup>Richard Fields to the Governor of Texas, September 1, 1824. *Appendix to Empresario Contracts*, III 265.

posed to wage war.<sup>1</sup> In the second place, Fields claimed that land enough for his own and for his tribe's needs had been granted him. Some idea of the extent of his claim may be had from Antonio Bulfe's<sup>2</sup> statement; namely, all the territory north of the San Antonio Road between the Trinity and Sabine Rivers.<sup>3</sup> It was further stated that he considered himself master of this section, that he sold lands to whom he pleased, and that he threatened to compel those who owned lands within those limits to satisfy his demands or else to get out.<sup>4</sup> Fields himself, while he expressed his willingness to defend the province and acknowledged his submission to the laws and decrees issued by the Mexican nation, insisted upon the Cherokees' independence of the local authorities.<sup>5</sup>

Lucas Alamán, minister of relations, by direction of the supreme executive power of Mexico, says, "it does not appear by the documents, that any commission or grant was made to Fields." And, moreover, he instructs the political chief "to prevent the assemblage which Fields is endeavoring to make, and not permit him to exercise any authority, to effect which the secretary of war will aid you with such military force as may be necessary."<sup>6</sup>

### 3. IF NOT BY RIGHT, THEN BY MIGHT.

The clash in the claims made by Fields and by the Mexican government was a fruitful source of trouble, and threatened to involve Texas in an Indian War. Both sides rested their claims on docu-

<sup>1</sup>Political chief to the governor, June 8, 1825. Blotter for 1825, in Bexar Archives.

<sup>2</sup>See note 4, p. 97.

<sup>3</sup>Alcalde of Nacogdoches to the political chief, September 11, 1824. Bexar Archives.

<sup>4</sup>Ibid. Statement of José Doste.

The political chief forwarded (January 5, 1825) the above statement to the governor with the following note: "podrá inferir V. E. la situación de esta desgraciada provincia emanado de la falta de guarnición con que se halla hasta el día." Blotter for 1824-25. Bexar Archives.

<sup>5</sup>Richard Fields to the commandant of Nacogdoches, April 22, 1825. File 239, Nacogdoches Archives.

<sup>6</sup>See pp. 110, 111, above.



mentary evidence.<sup>1</sup> What kind of documents did Fields possess, and to what extent did they support his pretensions? Some have supposed that he had papers from Iturbide. The short time that Fields was in the city of Mexico during Iturbide's reign, the confusion in political affairs that marked that period, and the fact that Fields remained in the city after Iturbide's overthrow and laid his petition before congress argue strongly against such a supposition. Nor is it necessary. It is very probable that Fields had a copy of the agreement he entered into with Trespalcacios, which was provisionally approved by the supreme executive power; and it is possible that he had a copy of the resolution containing the ratification, or a paper to that effect. Besides these, and perhaps a pass, it is impossible to suggest any documents that might properly have been in his possession. These, according to Alamán's construction, do not support his pretensions. Still, as near as can be ascertained, the agreement with Trespalcacios, and whatever else may have been said and done at the time it was made, appear to be the source of Fields's claims. Article 5 of that agreement, together with verbal promises that his application would be treated favorably,<sup>2</sup> form the basis of his claims to land;<sup>3</sup> and articles 3, 6, and 7 constitute the basis for at least a part of his pretensions to exercise control over the Indians. Fields could not read those documents, nor could he understand Spanish interpretations of them. He was dependent on interpreters. The points conceded would naturally stick in his memory better than the restrictions. He soon treated as fact what was merely a wish, and announced his efforts successful when they had only made a good beginning.

The very fact that Fields's claims rested upon such slender

<sup>1</sup>For Fields's references to documents, see beginning and end of his letter of March 6, 1824, quoted above, his letter to the commandant of Nacogdoches, April 22, 1825, referred to in note 5, p. 112, and his letter to the political chief, dated March 20, 1826, quoted on p. 125 below. For the Mexican references, see Alamán's letter of September 18, 1824, quoted above, and the letter from the political chief to Richard Fields, May 3, 1826, quoted on p. 126 below.

<sup>2</sup>Foots, *Texas and the Texans*, I 240.

<sup>3</sup>Ricardo Fields "dice que el Gobierno habia prometido tierras para su pueblo." S. F. Austin to the political chief, September 8, 1825. Bexar Archives.

authority and could, therefore, at least in theory, be swept away by a stroke of the pen by Alamán, engages one's sympathy for the Indians, who apparently did the best they knew how. Some writers have inferred that "the Mexican Government had, in truth, never designed to make the proposed grant; but, in order to get rid of further importunities from Fields, and to conciliate the Cherokee Chief, had been willing to amuse him with vague and deceitful promises,"<sup>1</sup> with which it might dispense "whenever it might be deemed convenient to do so."<sup>2</sup> This, however, is an extreme view; for, if this was intended, the government defeated its own ends when it transferred the right to grant lands to the different States. It is an error to attribute perfidious intent to the government at this time. When it put off the Cherokees, it did so for the same reason that it put off Green De Witt, Leftwich and Edwards—all of whom obtained lands without any trouble from the State of Coahuila and Texas.<sup>3</sup> But well meant as the postponement of Fields's business may have been, the delay worked such great damage to the interest of the Cherokees that nothing short of a clear title to the lands they occupied could have remedied matters.

The changes that in the meantime had been going on in eastern Texas as well as at the State capital were bringing the question of the Cherokee land claims to a crisis independent of the action of the general government. The old settlers of the Nacogdoches vicinity, who had been swept out of the province by the troubles of 1819, were gradually returning.<sup>4</sup> A considerable body of Anglo-Americans was settling between the Sabine and the Attoyac rivers and

<sup>1</sup> Foote, *Texas and the Texans*, I 240.

<sup>2</sup> Bancroft, *North American States and Texas*, II 104.

<sup>3</sup> As a matter of fact the Mexican government did make a grant of land, not to be held in common, however, to the Shawnee Indians, April 16, 1825. These Indians had no more claim upon the good will of the government than the Cherokees, except that they presented their petition *after* the passage of the general colonization law. The State could not make the grant because the land asked for was located within the border leagues; but from the proceedings it appears that the State would have received them, had they desired to settle elsewhere within its limits. *Record of Translations of Empresario Contracts*, 79-84. General Land Office.

<sup>4</sup> Lester G. Bugbee, *The Texas Frontier, 1820-1825*, in *Publications of Southern History Association*, IV 102-121.

around Nacogdoches, without let or hindrance from the authorities.<sup>1</sup> A number of the settlers that had been attracted by the offers of Austin's advertisements for colonists, during the latter's absence of eighteen months in the city of Mexico, stopped short of their destination and located in eastern Texas.<sup>2</sup> And the passage of the colonization laws added momentum to the movement already begun.

The general colonization law was passed August 18, 1824. It granted to the States the right to make regulations for the distribution of the public lands within their boundaries. The States were directed "as speedily as possible [to] frame laws or regulations for the colonization of those lands which appertain to them."<sup>3</sup> Nothing more liberal could have been desired by the States, and that of Coahuila and Texas showed its appreciation by promulgating a colonization law (March 24, 1825) two years before a State constitution was adopted. Even before the law was promulgated, petitions for permits to introduce colonists were sent to congress; and after the passage of the law, all were granted. The congress of Coahuila and Texas appears to have been so "desirous of augmenting by all possible means the population of its territory, of encouraging the cultivation of its fertile lands, the raising of stock, and the progress of arts and commerce,"<sup>4</sup> that, before a month elapsed after the passage of the colonization law, five contracts had been approved, authorizing the introduction of a total of three thousand families. "Thus the year of 1825 was the year of emigration for Texas. It was an impulse of the Anglo-Saxon race crowding westward."<sup>5</sup>

The Cherokees, coming into eastern Texas in 1819-20, found few whites, and still fewer Americans. To make sure of their possessions, even at that time they had taken steps to obtain a title to their lands. Matters, however, had dragged on for reasons beyond the interest and comprehension of the Cherokees until 1825, and

<sup>1</sup>Lester G. Bugbee, *The Texas Frontier, 1820-1825*, in *Publications of Southern History Association*, IV 102-121.

<sup>2</sup>S. F. Austin to the settlers in what is called "Austin's Colony," in Texas, November 1, 1829. Gammel, *Laws of Texas*, I 17.

<sup>3</sup>General Colonization Law, Article 3. Ibid., I 97.

<sup>4</sup>Preamble of the colonization law of Coahuila and Texas. Ibid., I 99.

<sup>5</sup>Yoakum, *History of Texas*, I 234.

yet they were not secure in the possession of their lands. Once more they saw the dreaded Anglo-American gaining a foothold at their very doors and with each passing month growing more numerous and more powerful. On the same day—April 15, 1825—the State of Coahuila and Texas granted three contracts that together provided for the settlement of two thousand families; Leftwich was to settle 800 west of the Cherokee claim, Frost Thorn 400 north of their villages, and Edwards, whose acquaintance Fields had formed while they were both on the same business in the City of Mexico,<sup>1</sup> was authorized to settle 800 within a district including the land claimed and occupied by these Indians. The Cherokees knew from experience what the result of a contest with the American pioneer for land would be. It is true the State colonization law provided for granting lands to such Indians as the Cherokees,<sup>2</sup> but before they were aware that any such law had been passed the above contracts had been made. Abstract justice, perhaps, demands that they ought to have had first choice of the lands they occupied; but the acquisition of land grants assumed the nature of a business transaction, and in such it was inevitable that the Anglo-Saxon should win. The experience Fields had had with the general government, the coming in of the Anglo-Americans, and the disregard of his claims, most probably, through ignorance of their existence by the State government, angered him, and he began planning to defend his rights if not to avenge his injuries.

The first news of the discontent of the Cherokees was brought to San Antonio by some residents of that place on their return from Nacogdoches, August 31, 1825.<sup>3</sup> A week later Colonel Austin heard of Fields's plans and immediately reported his information to the political chief.<sup>4</sup> "Fields is secretly making great efforts to

<sup>1</sup>Samuel Norris to J. A. Saucedo, September 5, 1826. File 207, Nacogdoches Archives.

<sup>2</sup>State Colonization Law, Article 19.

<sup>3</sup>*Informacion Sumaria sobre reunion de las Tribus Comanche, Tahuacana, Tahuayas, Huecos y otros para hostilizar estos pueblos. Juzgado 1° de Bejar.* Bexar Archives.

<sup>4</sup>S. F. Austin to the political chief, September 8, 1825. Bexar Archives. Translation.

unite all the Indian tribes of Texas in a confederation to destroy the new settlements, giving for his reasons [1] that if said settlements grow considerably the government can use their militia either to compel the Indians to obey the laws or to destroy them, and [2] that the occupation of the country by the settlers will result in the destruction of the game and the Indians will starve to death." Although he can not vouch for the truth of this report, Austin asserts that Fields's conduct of late has been very suspicious. Yet he says, "I do not believe that Fields wants war, but he is discontented; he says that the government had promised him lands for his people, and now he has learned that the land where he lives has been turned over to Edwards for colonization."<sup>1</sup> Austin thinks that Fields could easily be appeased by giving him lands.

The news of Fields's disaffection created considerable alarm among the officials at San Antonio. Rumors of a great combination of Comanches, Tehuacanas, Tahuayases, and Wacos for the purpose of attacking San Antonio and the new settlements had been afloat for some time.<sup>2</sup> It was not so much the increase of numbers<sup>3</sup> that the Cherokees and their allies would give this combina-

"I am creditably informed that these latter Indians [the Cherokees] are very much dissatisfied that their country has been given to the American Empresarios to be settled." S. F. Austin's Address to the Colonists, September 28, 1825. Austin Papers.

The first step Edwards took preparatory to the bringing in of his colonists served, if anything, to anger the Cherokees still more. In his proclamation, October 25, 1825, Edwards stated "that whatsoever families or person residing within the bounds of said territory [his grant,] and all those who pretend to hold claims to any parts of the land or lands of said territory shall immediately present themselves and exhibit their titles and documents, if they have any, in order that they may be approved or rejected according to law; and if they do not do this said lands shall be sold without further question." Bexar Archives. Translation.

<sup>2</sup>These Indians were continually committing depredations; but this time rumor had it they intended to make a clean sweep wherever they went. See the correspondence between the political chief and the governor from August 1 to the end of November, 1825.

<sup>3</sup>The Cherokees now numbered 160 warriors. Arciniega's *Diario*, March 19, 1826. *Appendix to Empresario Contracts*, III 273. General Land Office.

tion, as the superior courage and leadership<sup>1</sup> that the enemy would thus acquire, that was feared most. The political chief forwarded Austin's letter to the governor, with a note in which he said it was absolutely necessary that a considerable detachment of troops be stationed permanently at Nacogdoches to keep in check those Indians and "particularly the Cherokees; for the various accounts of the conduct of their chief Richard Fields that I have received since 1824 have not won my confidence."<sup>2</sup> The governor forwarded this information to the president of the Republic, ordered the political chief to have the militia of the department in constant readiness,<sup>3</sup> but said not a word about granting lands to Fields. In his letter to the secretary of war, he said: "Force is the only means to bring the Indians to terms when they take up arms against us, but in view of the primitive state of their civilization and the conduct observed hitherto by the greater part of the indigenous tribes of eastern Texas, it would be well before sending any troops against the Cherokees to commission a person possessing the entire confidence of the commander of Texas, with secret instructions touching this matter, to visit said Richard Fields to try to ascertain the existence of the plot alluded to."<sup>4</sup> Miguel Arciniega was appointed as this *emisario secreto*.<sup>5</sup> He left San Antonio February 2, and reached the Cherokee village March 19, 1826!<sup>6</sup> This is the sum total of the Mexican measures for defending the settlements and appeasing Fields. Verily, Austin spoke the truth when,

<sup>1</sup>Speaking of the disaffection of the Cherokees at a later date, S. F. Austin said: "it would be very unfortunate, for 100 Cherokees are of more account as warriors than 500 Comanches." File 198, Nacogdoches Archives.

<sup>2</sup>Political chief to the governor, October 2, 1825. Blotter for 1825, in Bexar Archives. Translation.

<sup>3</sup>Governor to political chief, November 1, 1825. Bexar Archives.

<sup>4</sup>Governor to secretary of war and navy, November 14, 1825. *Empresario Contracts*, 147-149. Translation.

<sup>5</sup>Governor to political chief, December 27, 1825. *Empresario Contracts*, 143-145.

<sup>6</sup>Arciniega's *Diario*. *Appendix to Empresario Contracts*, III 273.

in an address to his colonists while these Indian attacks were threatening, he said: "No aid whatever may be expected from the Government. If we get into a war, we must get through it the best way we can, without expecting aid from any quarter."<sup>1</sup>

The credit for detaching Fields from his alliance, which at best was very loose, with the Comanches, Tehuacanas, and Wacos, for turning him from his plans of resistance and for inducing him to renew his efforts to obtain lands peacefully, belongs to a few individuals who had the interests of either the Cherokees or Texas or both at heart. It is probable that Austin used his influence with Fields, although there is no record of it. John G. Purnell wrote to Fields from Saltillo, exhorting him as follows: "When last I saw you in my house in Monterey, I little thought in so short a time you would have commenced a war against your American brothers and the Mexican Nation; more particularly a man like yourself who is acquainted with the advantages of civilization. . . . If your claims for lands were not granted at a time when the government was not firmly established that should not be a cause of war. Ask and it will be given to you; this nation has always felt friendly inclined toward yours, and I am sure if you cease hostilities they will enter into a treaty with you by which you will obtain more permanent advantages than you can by being at war."<sup>2</sup> . . . F. Durcy, also of Saltillo, wrote to Francis Grapp, a well-known Indian trader at Natchitoches:

"Knowing the weight of your influence with all the savage nations and also the ascendancy that you have over the character of Mr. Feels, your son-in-law, I think that no one could stop better than yourself the great disturbance which is about to be raised by the Indians, whom you understand better than I. I say that you can distinguish yourself for the welfare of humanity in general in making the savages understand the evils which await them in following the plans of Mr. Feels, and likewise in causing Mr. Feels to be spoken to by his brother, who can prevail upon him [*le determiner*] to adandon a plan which will have no other end than that

<sup>1</sup>Austin's address to his colonists, September 28, 1825. Austin Papers.

<sup>2</sup>John G. Purnell to "Captain Richard Fields, Commander of the Cherokees in Texas," October 4, 1825. Austin Papers.

of destroying himself and all those who shall have the misfortune to follow him."<sup>1</sup>

More important still was the influence of John Dunn Hunter. It was this man who virtually gave a new turn to the affairs of the Cherokees, and he will, therefore, come in for a considerable share of attention in the next section.

#### 4. FURTHER ATTEMPTS TO OBTAIN LAND.

*Hunter's Plans and His Visit to Mexico.*—John Dunn Hunter was a man with a most remarkable career. Of white parentage, he was reared by the Indians, educated along the Mississippi river, wrote a book in New York City, was lionized in London, came to Texas to civilize the Indians, and lost his life in an uprising against the Mexican authorities. Wherever he appeared he attracted attention.<sup>2</sup> While in England Hunter had excited great interest in a project for civilizing the Indians, which he held up as the object to which he intended to devote his life.<sup>3</sup> In the additional section appended to the third English edition of his book,<sup>4</sup> he states his plan as follows:

<sup>1</sup>F. Durey to Frans. Grapp, Nov. 10, 1825. Austin Papers. Translation by Dr. George P. Garrison.

<sup>2</sup>For a sketch of Hunter's life, see Bancroft, *North Mexican States and Texas*, II 103, note 9, the references there cited; the *Cincinnati Literary Gazette*, January 1 and 10, 1824; the *Monthly* (London) *Review*, November and December 1823; the *New York Review*, May 1826; Redding, *Personal Reminiscences of Eminent Men*, III 42-55; and Allibone, *Dictionary of Authors*, I 923. A sketch of Hunter's life, based upon the account of it in his book, was reprinted in a somewhat abbreviated form in the *Indian Sketch Book*. Cincinnati, 1852.

<sup>3</sup>Statement of one who knew Hunter. Foote, *Texas and the Texans*, I 243.

<sup>4</sup>Touching the authenticity of Hunter's book, about which some questions had been raised, a writer in Blackwood's Edinburgh Magazine for December, 1824, XVI 639, says, "We have no reason to doubt on the subject. We have heard him talk better than that book is written, and have seen him write better. The MS. was corrected—not written—by a New Yorker. In a late edition, Mr. Hunter has added a few pages, which we know to be his." These "few pages" contain the plan given below, which is not found in any of the earlier editions of his book. The private collection of Mr. Edward E. Ayer, of Chicago, contains a MS. copy of Hunter's "Reflections" setting forth this plan, and presumably, at least in part, in the handwriting of the author.



"My plan to extend the benefits of civil life to the Indians is to settle in the vicinity of the Quapaws.<sup>1</sup> . . . They have not yet assumed the habits of civilized life; their country yet abounds in game, but it is fast disappearing before the ravages of the white man. I own a tract of land near them. I wish to let them see my improvements, my comfortable house, my rich meadows, my full barn, my fine stock; in short, every comfort which industry seconded by art can afford. Invite them frequently to see me; show them my independence; let them see that I do not have to run after the game, and expose my health in the wet and cold and my life and my liberty to my enemies. This will appeal to his pride and his honor, on which points they are extremely sensitive; emulation would be the consequence for they hate to be outdone.

"I would not wholly abandon their habits; I would frequently amuse myself at shooting, especially when they called to see me: they think it a great mark of worth to excel in the use of the rifle. I would indulge in many of their rural sports; I would use the pipe as the sign of hospitality; I have experienced it, and I know the habits which are hardest to part with or adopt, on entering the civilized life.

"The Indian, as well as the white man, clings with ardor to early habits, and commonly resigns them at the expense of his peace; but examples can do much, when we are in earnest and feel what we are about. The great object will be to convert the rambler over the forest to a domestic character. Nature has given him a soul which disdains the chains of tyranny; convert his independence from the ardor of war to the cultivation of peace with mankind. Nature has taught his bosom to glow with the flame of love to the softer sex; let domestic education turn the ardor into kindness and attention, to an attention which shall elevate his burthened squaw to his equal in society, to a companion of his toils and partner of his joys. Nature has kindled the fires of parental solicitude in his breast; let him teach his children industry, duty to their mother, and all the innocent sports and amusements of life.

"It is easy to conceive what would be the result; the Indian wig-

"He [Hunter], will soon revisit the great mother of waters, the Mississippi, and will carry with him the best wishes of all who have known him for his personal prosperity, as well as for the success of his favorite project." *Monthly* (London) *Review*, December, 1823, 381.

wam would be soon supplied by a lasting dwelling, and the bountiful fruits of the field supply the exertions of the chase. The roaming tenant of the woods would soon be the ornament of civil society. I have no assistant to accompany me with my designs, though I have many friends in my country; I have much to perform, and but little beyond personal exertion with which to accomplish it. The object alone is of sufficient importance to call forth all the exertions of an individual who feels a lively regard for everything which concerns their happiness."<sup>1</sup>

Hunter left England for America in the summer of 1824, and for nearly a year nothing of his movements is known. It may be, as Bancroft implies,<sup>2</sup> that he went immediately to live with the Cherokees in Texas; but it is more probable that he did not join these Indians until some time in the summer of 1825.<sup>3</sup> What induced him to abandon his original intention of settling on his own land near the Quapaws in Arkansas, and to cast his lot with the Cherokees in Texas, we are left to conjecture.<sup>4</sup> After joining the Cherokees, he soon acquired great influence among them.

About the time of Hunter's arrival in Texas the Cherokee land question had reached a crisis; it was in connection with this question that he came to the front. We have seen that Fields tried to obtain lands peaceably from the Mexican government; how he failed; and was now on the point of using force to make good his claims. To Hunter, however, the solution of the question appeared to lie in a different direction. Personally averse to war, he thought it idle with their small number of warriors and uncertain allies to resort to force; finding in all that had been done by the Mexican government no absolute refusal to grant land, he counseled culti-

<sup>1</sup>John D. Hunter, *Memoirs of a Captivity Among the Indians of North America, from Childhood to the Age of Nineteen* (The Third Edition with additions), 460-462.

<sup>2</sup>Bancroft, *North Mexican States and Texas*, II 104, note 9.

<sup>3</sup>Foote, *Texas and the Texans*, I 240.

<sup>4</sup>The Quapaws ceded all their lands in Arkansas to the United States by a treaty made November 15, 1824, about the time of Hunter's return from England. English influence, too, may have induced him to select the border between Mexico and the United States for his experiments.

vation of friendship with the local authorities and a renewal of the efforts to obtain land; and, possessing confidence in his own abilities, he was willing himself to undertake to secure the long sought titles to their lands. Hunter may have used other arguments; he may have unfolded to the Indians the plans that he laid before the Mexican authorities. Whatever was done, he was sent to the city of Mexico,<sup>1</sup> where he arrived March 19,<sup>2</sup> 1826,—the same day that Miguel Arciniega, the secret agent, arrived at the Cherokee Village.

"Hunter's object in visiting Mexico, (in as far as I could ascertain it,)" says Mr. Ward, British *chargé d'affaires* in Mexico during the years 1825, 1826, and part of 1827, "was to induce the government to assign a portion of the vacant lands in Coahuila and Texas, to some numerous tribes of Indians, mustering in all nearly 20,000 warriors, who had been driven from their hunting lands on the Missouri and Mississippi, by the rapid spread of the population from the Anglo-American Eastern States. Retiring across the vast prairies of Louisiana, and pursued step by step by that civilization, before which they fled, they entreated Mexico to grant them lands which they might call their own; and offered, if allowed to settle upon the southern banks of the Colorado [Red River] and Sabina, to take the oath of allegiance to the government, to embrace the Catholic religion, to devote themselves to agricultural labor, and to defend the frontier against all encroachments.

"This favorable opportunity of acquiring a valuable addition to the population of the country was lost by that dilatory spirit, which, both in Spain and its dependencies, has been the source of so many evils. Hunter left Mexico without having received any positive answer to his demands."<sup>3</sup>

'It is difficult to see why Hunter went to the City of Mexico, when he must have known that the power to grant lands rested with the State, or why he did not apply to the State authorities for land on his return from Mexico without a grant.

<sup>1</sup>Yoakum (*History of Texas*, I 237), quotes Bean's MS. notes for this date.

<sup>2</sup>Ward, *Mexico in 1827*, II 587-589. Cf. letter from the political chief to the vice governor, dated October 30, 1826, in which is repeated the substance of this plan, gathered from some source in Texas.

It would be very interesting to know what were the relations between

In following the movements of Hunter to the city of Mexico on his mission to obtain lands, we have reached the middle of the year 1826. It will now be necessary to return to the beginning of the year and briefly review (1) the conduct of the Cherokees up to the time of Hunter's return, and (2) the emigration of Indians from the United States to Texas.

*Fields's Conduct During Hunter's Visit to Mexico.*—On December 31, 1825, the alcalde of Nacogdoches informed the political chief that Fields with five of the chief men of his tribe had visited him to assure him of their friendship, and to notify him that five thousand families of the Shawnees were on their way to Texas to settle on the lands granted them by the government.<sup>1</sup> The latter part of this communication called the attention of the authorities to a new source of trouble, but the first part was hailed with great joy. To put a finishing touch to their gladness, Fields

this Mr. Ward, J. D. Hunter, and General Arthur Wavell. The three appear to have had a perfect understanding on one thing; namely, that Anglo-American emigration to Texas must be checked, else Indian, English, and Mexican interests would suffer. Thus Mr. Ward, commenting on the advantages of Texas (p. 585), of which State Gen. Wavell had furnished him a description, deploras the fact that the Americans are eager to seize these advantages and that Mexico is liberal in giving them grants (p. 586). He foresees that "the incorporation of Texas with the Anglo-American States" is not at all improbable, but certain "unless the Mexican government should succeed in checking the tide of emigration and in interposing a mass of population of a different character" between Texas and the United States (p. 587). He says Hunter's plan proposed to effect this; he regrets that this plan was not adopted; and hopes that the Fredonian affair (p. 589) has taught the Mexicans a lesson: for "I may be permitted, as an Englishman, to observe that it cannot suit our interests to see their line of coast extended as far south as the Rio Bravo del Norte." (p. 590).

General Wavell, also an Englishman, obtained permission from the general government to settle several hundred English colonists within the border leagues south of the Red River "in order to bar the advance of the Anglo-Americans to the Southwest" (Foote, *Texas and the Texans*, II 114, note). He spent several months in Texas during the summer of 1826 (*Ibid.*, 223, and letter of political chief to alcalde of Nacogdoches, June 12, 1826).

<sup>1</sup>Political chief to the alcalde of Nacogdoches, February 2, 1826, and to the governor, February 19, 1826. Blotter for 1826, in Bexar Archives.

produced<sup>1</sup> a letter nearly a year old—dated April 22, 1825<sup>2</sup>—showing that he had been their friend and ally all the time.\*

When, therefore, Miguel Arciniega, the secret emissary who was to put an end to the hostilities of the Indians, arrived in eastern Texas about the middle of March, 1826, none but the most favorable reports could he gather.<sup>4</sup> Fields entertained him at his own house, and utilized the occasion to assure him of the loyalty and good will of the Cherokees toward the Mexican government, and to write, March 20, the following letter to the political chief:

"Don Miguel Arciniega, who told me that he is a resident of Bexar, arrived at my village yesterday, and this affords me an opportunity to inform you of my commission as *Capitan Urbano* which the S. E. P. of Mexico granted to me when I was in that city, as well as to offer you the services of all my people who are under my command and who are waiting only for an opportunity to show the gratitude which I and all my people have toward the Mexican nation . . .

"Don Miguel Arciniega informed me that the Comanches and others adjoining them are making war on S. Antonio and other towns of the interior. Should our government decide to wage war on these faithless savages, I hope you will have the kindness to send me a courier in order that with all my people I may go to unite with the Mexican troops and destroy this restless people who commit so many acts of hostility.

<sup>1</sup>Alcalde of Nacogdoches to the political chief, January 5, 1826 (Bexar Archives); political chief to alcalde of Nacogdoches, February 14, 1826. (Blotter for 1826, in Bexar Archives.)

<sup>2</sup>File 239, Nacogdoches Archives.

<sup>3</sup>The news of Fields's friendliness was sent up the line until it reached the president of the Republic, and all expressed unusual satisfaction. Political chief to the commander of Texas, February 17, 1826, and to the governor, February 19, 1826 (both in Blotter for 1826); congress of Coahuila and Texas through the vice governor to the political chief, March 25, 1826; secretary of war through vice governor to political chief, April 8, 1826. All in Bexar Archives.

<sup>4</sup>Arciniega's *Diario* and letter of transmittal to the commander of Texas, March 23, 1826 (*Appendix to Empresario Contracts*, III 268-274); political chief to the commander of Texas April 13, 1826, and to the vice governor, April 15, 1826 (both in blotter for 1826); Arciniega to commander of Texas, May 15, 1826 (Bexar Archives).

"I have positive information that there have crossed Red River about eight thousand souls of different nations who come to settle and who are of those whom the government of the State of Coahuila and Texas permitted me, should they arrive, to locate on these lands; and they have directed me to inquire whether they, too, will be permitted to make war on the Comanches. . . .

"My people have lived very peaceably up to this time, and only the Caddos, Nacogdoches, and Tejas, I have learned, have been invited by the Comanches and Tahuayases to hold a council in the new town of the Tahuayases. I have not been able to discover what the object of this meeting is: I will only say that the Caddoes, Nacogdoches, and Tejas are not on friendly terms with my people, certainly through jealousy that we are settled near their lands. I wish that the government tell me what I must do with these nations, and especially with the clandestine trade which some traders are carrying on with the United States; and I wait only for an order from the government of the State of Coahuila and Texas to be authorized to arrest them and to stop this traffic which causes so much harm."<sup>1</sup>

To this remarkable composition of bitter and sweet the political chief made two reports—one to Fields, the other to the governor. He called the latter's attention particularly to the immigration of Indians.<sup>2</sup> In his letter to Fields he expressed his pleasure on hearing of the friendly disposition of the Cherokees and their willingness to aid the government; told him that he had referred the points touching the discontent of the Caddoes and the illicit trade to the State authorities; and concluded with this important statement: "Since neither in the Archives of the Department nor in those of the Secretary of State are found proofs of the permit, that you obtained from the S. E. P. of the Nation, to emigrate to this country, it is necessary, in order that you may remain in quiet possession and not be disturbed by any one, that you send me copies of

<sup>1</sup>File 221, Nacogdoches Archives. Translation.

<sup>2</sup>Political chief to vice governor April 15, 1826 (Blotter for 1826); vice governor to political chief, May 6, 1826; secretary of war through vice governor to political chief, June 5, 1826. All in Bexar Archives.

all your papers so that I can submit them to the proper authorities of the State for approval."<sup>1</sup>

If anything could bring to light the papers Fields claimed to have, this reasonable and direct request would appear to have been the thing to do it. But not so; nearly four months later, James Kerr, writing from San Antonio, says: "I have mentioned to the Chief the propriety of inviting [*sic*] Fields to participate in the war against the hostile Indians; he said that he had written to him to come here and to bring his title papers to land if he had any with a view ascertain the strength of his Coline [colony], and to make some arrangements with him in assisting us Defend the frontiers. He requested me to write Fields on the subject by the first opportunity and urge him to come on."<sup>2</sup>

In his letter of March 20, Fields volunteered his aid in case a war should be undertaken against the Comanches and their allies. These Indians had been threatening a combined attack since the fall of the previous year. In the spring of 1826 Austin was ordered<sup>3</sup> by the commander of Texas to attack the Wacos, Tehuacanas, and "Towcaps." Without consulting his superiors Austin took advantage of Fields's offer, and accordingly called upon the Cherokees to co-operate with his colonists by attacking the Tehuacana villages on the head of the "Navisot" at daybreak of May 25. "My friends," he says at the close of his letter, "I have informed you of my plans. I have placed great confidence in you, for you are the only persons out of this Colony that I have called on for aid. I am the friend of the Cherokees and wish to give them an opportunity of showing the Government what good Indians and faithful citizens they will make, and I have no doubt if you turn out in this expedition and destroy the Towakany villages on the head of the Navisot, that it will be the means of securing you land in the country

<sup>1</sup>Political chief to Richard Fields, May 3, 1826. Blotter for 1826, in Bexar Archives. Translation.

<sup>2</sup>James Kerr to S. F. Austin, August 23, 1826. Austin Papers.

<sup>3</sup>Mateo Ahumada to S. F. Austin, April 10, 1826. Bexar Archives.

for as many of your nation as wish to remove here.”<sup>1</sup> May 3, the courier whom Austin had sent to the Cherokees returned with a letter from Fields and Bowles, stating that they were willing to join the expedition and to aid the colonists if commanded to do so by the government, but that the high water in the Neches, the Trinity, and the creeks of that section generally, and the backwardness of their crops made it impossible for them to come at once.<sup>2</sup>

The commander of Texas issued an order, May 4, postponing the proposed attack.<sup>3</sup> Austin reported to the commander what he had done, at the same time mentioning his intended employment of the Cherokees.<sup>4</sup> To the latter the commander, Mateo Ahumada, replied: “In my opinion there is no need of our employing the Cherokees and other peaceable Indians for the purpose you propose; because, it is best that all the Indians should believe that we are not in need of them at all and that we excel them in war.”<sup>5</sup>

There may have been other considerations besides those mentioned by the commander that made it inadvisable to employ the Cherokees at this time. The political chief had just (May 3) called on Fields for copies of his papers, and he may have advised against their employment until their exact status in the department had been ascertained. At any rate, a few months later when Fields asked for permission to make war on these same Indians because they had killed some of his men,<sup>6</sup> the political chief granted his

<sup>1</sup>S. F. Austin to “Richard Fields and other Chiefs and Warriors of the Cherokee Nation living in Texas.” April 24, 1826. Blotter in Austin Papers. The interlineations and changes made in the original draft of this letter show that Austin knew he was dealing with a delicate subject, and that he wished to secure the aid of the Cherokees without putting the government under specific obligations to them.

<sup>2</sup>S. F. Austin to Mateo Ahumada, May 18, 1826. Bexar Archives.

<sup>3</sup>Commander of Texas to S. F. Austin, May 4, 1826 (Bexar Archives); S. F. Austin to Richard Fields, May 8, 1826 (Austin Papers).

<sup>4</sup>S. F. Austin to commander of Texas, April 30, 1826. Bexar Archives.

<sup>5</sup>Commander of Texas to S. F. Austin, May 18, 1826. Bexar Archives. Translation.

<sup>6</sup>Richard Fields to Samuel Norris, August 26, and to S. F. Austin, August 27, 1826. Files 209 and 197, Nacogdoches Archives.



request notwithstanding the fact that he had no authority to do so.<sup>1</sup> He justified his act by saying that he could no longer bear to hear of the unchecked insolence of those tribes, and he thought this a good opportunity to get even with them, as the Cherokees intended to wreak vengeance on them for personal injuries. Besides it would be a war between Indians only, and he feared Fields would go anyhow if he did not grant his request.<sup>2</sup> He, therefore, directed the alcalde of Nacogdoches immediately to inform the Cherokees of his consent and to urge them to wage the war with might and main.<sup>3</sup> The alcalde delivered the message October 2. The Cherokees appear only to have waited for the political chief's decision, and in his reply the alcalde expressed the opinion that the war would begin at once.<sup>4</sup> He was badly mistaken in this, however, for on the same day he reported the presence of Hunter at the Cherokee village, and what that meant we shall see presently.

*Immigration of Indians From the United States.*—A movement during the year 1826 that deserves to be especially noted is the emigration of Indians from the United States to Texas. We have already seen that the Cherokees came in 1819-20. Some Delawares crossed the Sabine in 1820.<sup>5</sup> A large party of Shawnees entered in 1822, and settled on the south side of Red River near Pecan Point.<sup>6</sup> In 1824 these Shawnees petitioned the State authorities for land—an English square mile for each family; provided, that the grant be so formulated that not only the two hun-

<sup>1</sup>Political chief to the vice governor, September 17, 1826. Blotter for 1826, in Bexar Archives.

<sup>2</sup>Political chief to the vice governor, October 1, 1826. Blotter for 1826, in Bexar Archives.

<sup>3</sup>Political chief to the alcalde of Nacogdoches, September 20, 1826. Blotter for 1826, in Bexar Archives.

<sup>4</sup>Samuel Norris to the political chief, October 3, 1826. Bexar Archives.

<sup>5</sup>Dewees's Letters, 22.

<sup>6</sup>*Representation of the Shawnees to the Congress of Coahuila and Texas*, December 17, 1824. *Record of Translations of Empresario Contracts*, 81.

dred and seventy warriors already within Texas should receive land, but also "their friends and allies who might follow them." Should this be done, "they are induced to hope that several thousand will join them."<sup>1</sup> The Congress of the State and the president of the Republic acted favorably on their petition; "provided they conform to the constitution and laws of the nation and that they themselves do not form a separate body as a nation with authorities of their own, but remain obedient to the State."<sup>2</sup> Nothing was said about numbers. Other tribes may have come in between 1820 and 1826, but no mention is made of them; certain it is that immigration was not so important as it became in 1826.

Contemporary events in the United States doubtless did a good deal to facilitate this movement, but of chief interest in this connection is the part Fields played. Bearing in mind Hunter's plan for making an Indian country, it seems that the emigration of those Indians is in line to fulfill that plan; an effort on the part of Fields to furnish the Indians for the lands that Hunter had undertaken to secure. That Fields thoroughly identified himself with the movement is clearly proved by numerous statements of his own. Reference was previously made to the fact that on December 31, 1825, Fields notified the alcalde of Nacogdoches "that the Shawnees had sent a runner to report that there were five thousand families on the road who intended to settle on the lands of this department." Again in his letter to the political chief, dated March 20, 1826, he said: "I have positive information that about eight thousand souls of different tribes have crossed the Red River." Arciniega quotes Fields as saying "that these [eight thousand] are a part of nine nations which have the permission of the State government to settle on the lands that this government is to designate." And on May 30, the alcalde of Nacogdoches learned from the chief of the Nadacos that twelve tribes, four of them large ones, were about to emigrate to Texas.<sup>3</sup> Undoubtedly all these numbers are exaggerated; the actual number that emigrated is not known;

<sup>1</sup>*Petition of the Shawnees*, October 10, 1824. *Record of Translations of Empresario Contracts*, 79.

<sup>2</sup>Alamán to the governor of Coahuila and Texas, April 16, 1825. *Ibid.*, 83.

<sup>3</sup>Political chief to the commander of Texas, July 8, 1826. Bexar Archives.

but the fact remains that there was a large increase of the Indian population of eastern Texas, drawn chiefly from among the former friends and allies of the Cherokees, through the efforts and influence of Fields.

"In reply to your request for information concerning the emigration of savage Indians from the Republic of the North to the Republic of Mexico," wrote Benjamin R. Milam to the commander of the department of Texas, May 1, 1827, "I must say that on the 23rd of November last I arrived at the Red River of Natchitoches near Pecan Point. . . . On my arrival I found the white inhabitants of that part of the country, residents in the vicinity of Pecan Point, greatly frightened by the immigration of a considerable number of Northern Indians to the south side of said River into the territory of this Republic. Their numbers are increasing daily from some unknown cause. . . .

"I had an interview with the chiefs of the different tribes and told them that they ought not to settle without the permission of the Mexican government. They replied that Richard Fields had summoned them, saying that he was vested with full powers to distribute the vacant lands of this country." . . .<sup>1</sup>

The officials at Nacogdoches and at San Antonio did not fail to appreciate the dangerous character of this large semi-civilized Indian population. They saw clearly that it added material of the most inflammable nature to a section of country whose inhabitants were already beyond the control of the authorities. They pointed out to the superior officials that the emigrant Indians incurred the hostility of the indigenous tribes by occupying their lands,<sup>2</sup> and that where this was not the case the former attempted to subject the latter to their authority.<sup>3</sup> They showed how easy it would be for bad men to gain influence over these Indians, to incite them against the government, and to unite them with the foreigners in

<sup>1</sup>B. R. Milam to Mateo Ahumada, May 1, 1827. *Appendix to Empresario Contracts*, III 16. Translation.

<sup>2</sup>Commander of Texas to the commander of Coahuila, July 9, 1826. Bexar Archives.

<sup>3</sup>Political chief to vice governor, July 9, 1826. Blotter for 1826, in Bexar Archives.

resisting and defying the laws.<sup>1</sup> They reiterated the absolute necessity of stationing a sufficient number of troops at Nacogdoches to compel the Indians to settle where they would be least dangerous, to make them obey the laws and respect the government from the very beginning, and to maintain good order and suppress at the outset any disturbance they might raise either alone or in union with the white emigrants and thus to preserve the integrity of the territory.<sup>2</sup> All their petitions, however, fell on deaf ears until Don Bernardo Gutierrez de Lara,<sup>3</sup> commandant of the Eastern Internal States, was removed and the energetic Anastasio Bustamante put in his place. He reached headquarters about the end of August,<sup>4</sup> and immediately promised the troops asked for,<sup>5</sup> but before they could reach Texas the mischief had begun.

<sup>1</sup>Political chief to the commander of Texas, August 6, 1826. Blotter for 1826, in Bexar Archives.

<sup>2</sup>Political chief to vice governor, April 15, 1826 (Blotter for 1826, in Bexar Archives.) The chief asks that troops be stationed at Nacogdoches. In his letter to political chief, May 6, 1826 (Bexar Archives), the vice governor says he laid the matter before the general government. The secretary of war, writing through the vice governor to the political chief, June 5, 1826 (the letter being preserved in the Bexar Archives), says the matter has been referred to the commandant of the Eastern Internal States. Commander of Texas to political chief, June 11, and to commander of Coahuila, July 9, 1826, two letters (Bexar Archives); political chief to vice governor, July 9, 1826, two letters (Blotter for 1826, in Bexar Archives); vice governor to political chief, July 29, 1826 (*Record of Translations of Empresario Contracts*, 88); political chief to commander of Texas, and to vice governor, August 6, 1826 (Blotter for 1826, in Bexar Archives); vice governor to political chief August 22, 1826 (*Record of Translations of Empresario Contracts*, 89. General Land Office.)

<sup>3</sup>"In the first place Bernardo Gutierrez has been removed from office and yr. friend Genl. Anastacio Bustamante appointed in his place. The Government is very much displeased at the conduct of Gutierrez: he has deceived them at every point relative to the state of Indian affairs in this Department. The Government had made sufficient appropriations to carry on the Indian War with energy but it appears he applied the appropriations of the Government to his own private use, and represented to the Government that the Campaign was proceeding with all possible vigor."—James Austin, San Antonio, to S. F. Austin, August 23, 1826. Austin Papers.

<sup>4</sup>Filisola, *Memorias*, etc., I 127.

<sup>5</sup>Political chief to the alcalde of Nacogdoches, August 23, 1826. Blotter for 1826, in Bexar Archives.

*The Results of Hunter's Trip.*—The exact date of Hunter's return from his unsuccessful mission to the city of Mexico not being known, it is sufficient for our purpose to note the first sign of the effects the report of his failure produced. News of the hostility of the Cherokees began to spread about the beginning of September.<sup>1</sup> "There is reason to fear," says Austin, "that the delay of the measures concerning the peaceable tribes has disgusted them; and should this be the case it would be a misfortune, for 100 of the Cherokees are worth more as warriors than 500 Comanches."<sup>2</sup>

A council of the Cherokees was called, and the assembled warriors addressed by Fields and Hunter. The following speech, said to have been delivered by Fields a short time afterward, may safely be taken as an index to the sentiments he expressed on this occasion:

"In my old Days I travild 2000 Miles to the City of Mexico to Beg some lands to setel a Poor orfan tribe of Red Peopel that looked up to me for Protasion[.] I was Promised lands for them after staying one year in Mexico and spending all I had[.] I then came to my Peopel and waited two years and then sent Mr. hunter again after selling my stock to Provide him money for his expenses[.] when he Got thare he Staited his mision to Goverment[.] they said that they New nothing of this Richard fields and treated him with contamp[.] I am a Red man and a man of onor and Cant be emposid on this way[.] we will lift up our tomahawks and fight for land with all those friendly tribes that wishes land also[.] if I am Beaton I will Resign to fait and if not I will hold lands By the forse of my Red Warriors . . . ."<sup>3</sup>

Hunter "pictured in strong and glowing language the gloomy alternative, now plainly presented to the Indians, of abandoning their present abodes and returning within the limits of the United States—or preparing to defend themselves against the whole power

<sup>1</sup>S. F. Austin to the commander of Texas, September 10, 1826. File 237, Nacogdoches Archives.

<sup>2</sup>S. F. Austin to the commander of Texas, September 11, 1826. File 198, Nacogdoches Archives. Translation.

<sup>3</sup>P. E. Bean to S. F. Austin, December 30, 1826. Austin Papers. Bean says Fields delivered this speech before the committee at Nacogdoches.

of the Mexican Government by force of arms. The fierce multitude of savage warriors who listened to him were not long in determining in favor of energetic measures, and they unanimously declared for the immediate commencement of hostilities upon the neighboring colonists in Edwards's grant—considering them as a part of the population of the Mexican Republic. They believed themselves capable of overrunning the country about Nacogdoches with little or no difficulty; and many of them were quite eager for the spoils which they expected to gather in their contemplated course of conquest.”<sup>1</sup>

Hunter, however, recognizing the uncertainty of such a course and, perhaps, not entirely ignorant of the state of affairs at Nacogdoches, succeeded in persuading the Indians to postpone hostilities “for a week or two, until he could have an opportunity of visiting Nacogdoches and ascertaining the exact condition of the colony . . . He repaired . . . to Nacogdoches, and after remaining a day or two there . . . determined to have an interview with the *empresario* and his brother, and to lay before them a proposition for the formation of a league, offensive and defensive, against the Mexican government . . . Accordingly, he approached the brothers, . . . [and, after] listening to the pathetic story of their wrongs, . . . he ventured by degrees to unfold the object of his visit. He painted to his new acquaintances the exposed condition of the colonists, and the certainty of their being shortly attacked by an uncontrollable host of warriors, who were then arranging for the onslaught; he expatiated upon the fact . . . that they could expect no succor from the Mexican government . . . and urged them . . . to unite with the Indian tribes under the control of himself and Fields . . .”<sup>2</sup>

*Edwards's Colony.*—To understand and appreciate the reception Hunter's proposition received on the part of the Edwards brothers, a brief survey of the difficulties they had experienced in the planting of their colony is necessary. By Art. 2 of Edwards's contract “all those possessions which are found in Nacogdoches and its vicin-

<sup>1</sup>Foote, *Texas and the Texans*, I 248.

<sup>2</sup>*Ibid.*, I 249.

ity, with corresponding titles, shall be respected by the colonists; and it shall be the duty of the empresario, should any of the ancient possessors claim the preservation of their rights, to comply with this condition."<sup>1</sup> To ascertain the extent of the claims thus safeguarded, Edwards issued an order October 25, 1825,<sup>2</sup> directing that all persons holding such claims should present them immediately for confirmation or rejection according to law, otherwise the lands would be sold. This notice gave great offense (1) to the old settlers at Nacogdoches, many of whom had good reason to object to an inspection of their titles and all of whom were jealous of Edwards's authority, and (2) to the authorities of the State, because he claimed the right (which he did not possess) to sell the lands. About the same time that Edwards issued the foregoing order he issued another for the election of militia officers to occur December 15, 1825. Notwithstanding the fact that Art. 6 of his contract appears to have conferred this right upon him, the officers of the general government were highly offended that a rank foreigner like Edwards should be invested with and presume to exercise such authority. Edwards also took a prominent part in the election for first alcalde of Nacogdoches, which was held about January 1, 1826; and the election of his son-in-law, Chaplin, completed the breach between his adherents and the opposing faction.

The opponents of Edwards, in their communications to the political chief, magnified his mistakes and misrepresented the acts of Chaplin the alcalde, until after three months they succeeded in having the latter removed and his place filled by the man whom he had defeated—Samuel Norris. With the accession of Norris "commenced a system of petty tyranny and invidious distinctions which exasperated the colonists. Americans, who had wrought improvements on their lands, were ousted from them to give place to Mexicans, the favorites of Sepulveda [captain of the militia] and the alcalde. A band of regulators was formed, under the command of James Gaines, the brother-in-law of Norris; and backed by these ruffians and the official support of Saucedo [the political chief] the Mexican party domineered as they liked."<sup>3</sup> By June,

<sup>1</sup>Yoakum, *History of Texas*, I 462.

<sup>2</sup>See note 1, p. 117.

<sup>3</sup>Bancroft, *North Mexican States and Texas*, II 101.

rumors had reached Nacogdoches that Edwards's grant would be annulled, and the Mexicans, thinking that all titles acquired through him would be revoked, set up claims to all the most valuable places occupied by his colonists. "The shamelessness of Norris—who was, however, controlled by James Gaines—was such that these abominable claims were sanctioned by him. A reign of terror followed. American settlers were dispossessed of their homes; were arrested at midnight and dragged before the alcalde to be punished for acts they had never committed; they were fined and imprisoned; and every contumely and vexation that envy and malice could suggest were heaped upon them."<sup>1</sup>

The American settlers, with remarkable self-control, endured these outrages, perpetrated under the guise of law, until toleration absolutely became criminal. About the close of September, they determined to rid their country of this pestilence; but B. W. Edwards, still hoping for justice from the State authorities, exerted himself to restrain them yet a while longer. October 2d, he addressed a letter to B. J. Thompson, saying, "Let us wait and not prejudice our prospects by premature operations on our part. The government may yet act with faith and justice toward the Americans. . . . The eyes of the government are at this moment upon us all, and much may depend upon our present deportment. Gaines and Sepulveda have been represented to the proper authorities, and in a little time an investigation must take place."<sup>2</sup> However, they waited in vain for a month and a half; then, on November 22, a party of thirty-six armed Americans entered Nacogdoches under the leadership of Martin Parmer, and arrested Norris, the alcalde, Sepulveda, the commander of the militia, and sought to arrest James Gaines and one or two others of those who had become intolerable to all law abiding citizens. They declared the alcalde's office vacant, and appointed José Doste alcalde *ad interim* until an election to fill the vacancy could be held. Parmer and his officers constituted themselves a court-martial which offered one hundred dollars for James Gaines dead or alive.<sup>3</sup> They preferred charges

<sup>1</sup>Bancroft, *North Mexican States and Texas*, II 102.

<sup>2</sup>Yoakum, *History of Texas*, I 244.

<sup>3</sup>Proclamation issued by the court-martial, dated November 25, 1826. Bexar Archives. It is signed by Martin Parmer, colonel and president



against Norris and Sepulveda, and tried them and found them guilty, but released them on condition that they never hold any office in the district. After remaining in Nacogdoches about a week, they returned to their homes and disbanded.<sup>1</sup> The whole proceeding was not an act of rebellion against the Mexican government, but an attempt on the part of outraged citizens to free themselves of a set of oligarchs, who not only tyrannized over them at home, but lost no opportunity to heap slander and abuse upon them in their communications to the superior authorities. But instead of taking warning from this episode, the Mexicans converted it into fuel with which to make the flames of hatred and jealousy burn still more fiercely.

When Norris and Sepulveda were arrested, Manuel Santos, a subaltern of the latter, collected a few adherents and a lot of Indians to liberate the prisoners.<sup>2</sup> The Mexicans found the Cherokees hostile; they concluded that the Americans had been among them and incited them against the government.<sup>3</sup> They doubled their exertions, therefore, to attach as many of the other tribes to their party as possible.<sup>4</sup>

of the court-martial, J. Roberts, major, B. J. Thompson, captain, J. W. Mayo and William Jones, members of the court-martial, and H. B. Mayo, major and judge-advocate of the court-martial.

<sup>1</sup>This summary is made from S. F. Austin's letter to the political chief, dated December 4, 1826. File 214, Nacogdoches Archives. Austin obtained his information from two men who had just arrived from Nacogdoches. For accounts by the opponents of the Americans, see Patricio de Torres to political chief, November 11, and to postmaster at Bexar, Nov. 28, 1826 (Bexar Archives); Sepulveda to political chief, November 28, 1826 (File 187, File 183. Ibid. Nacogdoches Archives); José Dosta to political chief, November 29, 1826.

<sup>2</sup>Patricio de Torres's and Sepulveda's letters of November 28, 1826, referred to in the preceding note.

<sup>3</sup>Political chief to vice governor, November 26, 1826 (Blotter for 1826, in Bexar Archives); vice governor to political chief, December 13, 1826 (Bexar Archives). See also B. W. Edwards's letter to Aylett C. Buckner, p. 143 below.

<sup>4</sup>Sepulveda to political chief, December 3 and 15, 1826. Files 182 and 179, Nacogdoches Archives. "It should be here stated that a strong motive for this alliance [between the Cherokees and Edwards] was derived

*The Fredonian Affair.*—It was about this time that Hunter visited the Edwards brothers. News that an expedition was being organized to expel Edwards and that his contract had been annulled perhaps reached them while Hunter was at Nacogdoches.<sup>1</sup> Thus seeing injustice heaped upon injury it is not difficult to imagine in what spirit Hunter's project for an offensive and defensive alliance was received. "A meeting of the leading settlers about Nacogdoches was . . . convened, and the preliminaries of a compact of alliance with the Indian tribes were soon arranged."<sup>2</sup> Hunter undertook to enlist all the Indian warriors,<sup>3</sup> while Edwards hoped to bring in the whole American population of Texas, aided by their

from the fact . . . that the Mexican government [the Mexican oligarchs at Nacogdoches] had been, for several weeks, actively engaged, through the medium of emissaries then among the tribes, to incite them to an attack upon the colonists." (Foote, *Texas and the Texans*, I 250.)

<sup>1</sup>Political chief to vice governor, November 25, and to the alcalde of Nacogdoches, November 29, 1826. Blotter for 1826, in Bexar Archives.

<sup>2</sup>Foote, *Texas and the Texans*, I 250.

"It is barely possible that Hunter counted on assistance from other quarters than those mentioned above. James Kerr, one of the commissioners sent to the Fredonians early in January, on his return from his unsuccessful mission, wrote to S. F. Austin saying: "As a duty that I owe to myself and to this beloved Country of my adoption, I am impelled by an impulse by which every good citizen ought to be actuated; I beg leave to suggest that there is a Combination of men (Some of whom call themselves Americans) but I believe them to be Englishmen principally—though some are perhaps french origin and carry with them as it is believed Spanish manners and deportment—that have conspired against this nation.

"First, I will Identify one John D. Hunter (commonly called Doctor Hunter), and one — Basset; these two men say that they are Cherokees by adoption. . . . I have seen Hunter and Basset together and I believe them to be brothers. The Mexican nation granted a Section of territory to one Gen. Waval to colonize, and I was informed by some of the out Laws while at Nacogdoches that Hunter had said his great dependence and hopes for assistance to revolutionize the department of Texas was on the British; that he expected in less than four months to be re-enforced by 300 englishmen who would land at the mouth of the Brassos under the command of said Waval; that a Doctor *Somebody* who spoke french, english and spanish was then in the interior as a spy; that Hunter would act on the frontiers, stimulating to action our red Brethren,

kinsmen in the United States. "As soon as this friendly understanding was brought about, Hunter returned to the Cherokee village, for the purpose both of obtaining sanction there of what he had done, and of detaching, as soon as he might find it possible to do so, a body of Indian warriors to Nacogdoches, to unite with the colonists in the measures of defense now become necessary." December 13, the Edwardses visited the settlers between the Attoyac and the Sabine, where it seems they found no difficulty in arousing the spirit of resistance.<sup>1</sup>

After two days Benjamin Edwards with fifteen men returned toward Nacogdoches. On reaching the Attoyac on the evening of the 15th, a rumor reached him which informed him that the enemy was expected at Nacogdoches that very night. Delaying only long enough to prepare a flag, he pushed on and entered Nacogdoches on the morning of December 16th.<sup>2</sup> Patricio de Torres says that Parmer, too, was one of the leaders of the party, and that their flag was red and white and had upon it the words "*Independence, Freedom and Justice.*"<sup>3</sup> The reported approach of the enemy

while the British would land on the coast and overpower all opposition and organize a government of their own formation and which as my informant said would be an effective one.

"Unlikely as such a scheme would seem, when compared with reason and common sense; yet we see some of its features demonstrated. Hunter has raised the hatchet and the blood hounds at his heels ready to devour opposition. . . .

"It is a well known fact that Waval and Hunter were together in Mexico last winter and that Hunter said he was treated with more than ordinary politeness by said Waval and other Englishmen in Mexico." (Kerr to Austin, January 24, 1827. Austin Papers.)

The political chief in his letter of January 9, 1827, to the vice governor, (Bexar Archives), speaking of Hunter, said: "opinion todos que sea emisario de algun gabinete Europeo." And the commander of Texas in his letter, of same date as above, to the general commandant, said: "Todo es de temerse del Dr. Ingles Juan Hunter." (Ibid.)

<sup>1</sup> Foote, *Texas and the Texans*, I 250. Those who participated in the affair of November 22d were largely drawn from this section.

<sup>2</sup> Ibid., I 251.

<sup>3</sup> Patricio de Torres to the commander of Texas, December 29, 1826. Bexar Archives.

proved to be premature.<sup>1</sup> Edwards and his men, therefore, busied themselves putting the old stone fort in a state of defense, levying on the disaffected Mexicans for supplies of provisions, perfecting their alliance with the Indians, and seeking to enlist all Americans in Texas and those in the adjacent parts of the United States in their undertaking.

"On the 20th of December . . . Hunter returned to Nacogdoches, accompanied by Fields, and various Indian chiefs besides, prepared to enter into a *council* with a view to settling definitely the terms of alliance with the colonists heretofore alluded to. An assemblage was accordingly convened, composed of the delegates in attendance from the Indian tribes, and individuals authorized to act as representatives of the colonists, which assumed the title of 'The General Council of Independence.' By this body a scheme of alliance was matured, which, through the agency of Commissioners appointed for the purpose, took the form of the compact which follows:<sup>2</sup>

"Whereas, the Government of the Mexican United States, have by repeated insults, treachery, and oppression, reduced the White and Red emigrants from the United States of North America, now living in the Province of Texas, within the territory of said Government, into which they have been deluded by promises solemnly made, and most basely broken, to the dreadful alternative of either submitting their free-born necks to the yoke of an imbecile, faithless, and despotic government, miscalled a Republic; or of taking up arms in defence of their unalienable rights and asserting their Independence; They—viz:—The White emigrants now assembled in the town of Nacogdoches, around the Independent Standard, on the one part, and the Red emigrants who have espoused the same Holy Cause, on the other, in order to prosecute more speedily and effectually the War of Independence, they have mutually under-

<sup>1</sup> Foote (I 251) says Colonel Bean had on the 15th advanced at the head of about thirty-five soldiers within a few miles of Nacogdoches, but afterward withdrew to the Trinity. This must be an error; for Austin, in his letter to the political chief dated at San Felipe, December 15th, says "Corl C. Pedro Elias Bean sale hoy para aquel punto;" and the distance thence to Nacogdoches is too great for him to have covered in one day.

<sup>2</sup> Foote, *Texas and the Texans*, I 253.

taken, to a successful issue, and to bind themselves by the ligaments of reciprocal interests and obligations, have resolved to form a Treaty of Union, League and Confederation.

"For the illustrious object, Benjamin W. Edwards and Harman B. Mayo, Agents of the Committee of Independence, and Richard Fields and John D. Hunter, the Agents of the Red people, being respectively furnished with due powers, have agreed to the following articles:

"1. The above named contracting parties, bind themselves to a solemn Union, League and Confederation, in Peace and War, to establish and defend their mutual independence of the Mexican United States.

"2. The contracting parties guaranty, mutually, to the extent of their power, the integrity of their respective Territories, as now agreed upon and described, viz.: The Territory apportioned to the Red people, shall begin at the Sandy Spring, where Bradley's road takes off from the road leading from Nacogdoches to the Plantation of Joseph Dust, from thence West, by the Compass, without regard to variation, to the Rio Grande, thence to the head of the Rio Grande, thence with the mountains to the head of the Big Red River, thence north to the boundary of the United States of North America, thence with the same line to the mouth of Sulphur Fork, thence in a right line to the beginning.

"The Territory apportioned to the White People, shall comprehend all the residue of the Province of Texas, and of such other portions of the Mexican United States, as the contracting parties, by their mutual efforts and resources, may render Independent, provided the same shall not extend further west than the Rio Grande.

"3. The contracting parties mutually guaranty the rights of Empresarios to their premium lands only, and the rights of all other individuals, acquired under the Mexican Government, and relating or appertaining to the above described Territories, provided the said Empresarios and individuals do not forfeit the same by an opposition to the Independence of the said Territories, or by withdrawing their aid and support to its accomplishment.

"4. It is distinctly understood by the contracting parties, that the Territory apportioned to the Red people, is intended as well for the benefit of those Tribes now settled in the Territory appor-

tioned to the White people, as for those living in the former Territory, and that it is incumbent upon the contracting parties for the Red people to offer the said tribes a participation in the same.

"5. It is also mutually agreed by the contracting parties, that every individual, Red and White, who has made improvement within either of the Respective Allied Territories and lives upon the same, shall have a fee simple of a section of land including his improvement, as well as the protection of the government under which he may reside.

"6. The contracting parties mutually agree, that all roads, navigable streams, and all other channels of conveyance within each Territory, shall be open and free to the use of the inhabitants of the other.

"7. The contracting parties mutually stipulate that they will direct all their resources to the prosecution of the Heaven-inspired cause which has given birth to this solemn Union, League and Confederation, firmly relying upon their united efforts, and the strong arm of Heaven, for success.

"In faith whereof the Agents of the respective contracting parties hereunto affix their names. Done in the Town of Nacogdoches, this the twenty-first day of December, in the year of our Lord one thousand eight hundred and twenty-six.

"[Signed.]

B. W. EDWARDS,  
H. B. MAYO,  
RICHARD FIELDS,  
JOHN D. HUNTER.

"We, the Committee of Independence, and the Committee of the Red people, do ratify the above Treaty, and do pledge ourselves to maintain it in good faith. Done on the day and date above mentioned.

"[Signed.]

Richard Fields,  
John D. Hunter,  
Ne-ko-lake,  
John Bags,  
Cuk-to-keh,

Martin Parmer, President.  
Hayden Edwards,  
W. B. Legon,  
Jno. Sprow,  
B. P. Thompson,  
Jos. A. Huber,  
B. W. Edwards,  
H. B. Mayo."<sup>1</sup>

<sup>1</sup> Foote, *Texas and the Texans*, I 253-256. Two of the above signatures are incorrectly given by Foote; they should be written Jno. Sprowl and B. J. Thompson, and not as above.

What was uppermost in the minds of those who made this treaty is evident. Five of the seven articles deal with land. Land is what had induced the Americans to come to Texas; it was to obtain land that the Cherokees had made several trips to the city of Mexico. The Americans, although partly successful in obtaining lands, found themselves in imminent danger of losing it; all the efforts of the Indians had met with failure. By resorting to force the former hoped to protect their rights and liberties; the latter saw in it the last hope of realizing their cherished plans for forming an Indian country.

"The Treaty of Alliance being executed, the Commissioners on the part of the colonists laid the same forthwith before the colonists and obtained their sanction to it without difficulty or delay."<sup>1</sup> They next bent their efforts to the enlistment of aid at the more distant points. December 26, B. W. Edwards wrote to Captains Aylett C. Buckner and Jesse Thompson, Col. James Ross, and other prominent citizens of Austin's colony. A portion of his letter to the first named follows:

"We have not acted blindly or precipitately in this matter. We have for some time looked forward to this issue, and were prepared for it. The Indians on our north have long since intended the same thing, and have only been waiting for us to say the word. They were determined to have a part of the country, which, they say, was promised to them by the government, and which they will never yield. They have immigrated of late in great numbers to the northern part of this province. Under those considerations, and for our own security and protection, we have just completed a treaty with them, designating a line to the north of this, running westwardly to the Rio Grande, securing all individual rights within their territory.

"The treaty was signed by Dr. John D. Hunter and Richard Fields as the representatives of the United Nations of Indians, comprising twenty-three tribes.

"They are now our decided friends, and by compact, as well as interest, are bound to aid us in effecting the independence of the country. The Comanches are in alliance with them, and their

<sup>1</sup>Foote, *Texas and the Texans*, I 256.

united efforts will be immediately directed against this base and faithless government."<sup>1</sup>

It is not probable that these letters would have had much effect, even if they had been passed unnoticed; for Austin's colonists had experienced none of the injuries complained of by Edwards, who himself says, "You have been much more fortunate than we have been, in being permitted to enjoy the benefits of self-government."<sup>2</sup> But they were not allowed to pass unchallenged. Austin threw his whole influence against them at home, and reasoned and remonstrated with the Fredonians themselves.<sup>3</sup> At a meeting of the citizens of Austin's colony at Victoria (Matagorda) resolutions were adopted condemning the Fredonian affair in the most unqualified terms.<sup>4</sup> And when the political chief arrived at San Felipe and issued a proclamation granting amnesty<sup>5</sup> to the Fredonians, commissioners were sent from Austin's and De Witt's colonies to use their best efforts to induce them to embrace the generous terms and thus to end this affair.<sup>6</sup>

The efforts to secure aid from the United States were quite as unsuccessful as the attempt to enlist Austin's colonists. Mr. Foote attributes this failure chiefly to the perfidious conduct of Jos. A. Huber,<sup>7</sup> who deserted the Fredonian cause. But aside from this, contemporary notices in the Louisiana newspapers show that the affair was sized up pretty accurately from the beginning, and did not seem to them to promise success with sufficient assurances to induce even adventurers to enlist.

<sup>1</sup>B. W. Edwards to Aylett C. Buckner, December 26, 1826. *Comprehensive History of Texas*, I 518.

<sup>2</sup>B. W. Edwards to the inhabitants of Austin's colony, January 16, 1827. Foote, *Texas and the Texans*, I 260.

<sup>3</sup>S. F. Austin to Burrell J. Thompson, December 24, 1826, and January 1, 1827, and to John Sprowl. Austin Papers.

<sup>4</sup>Resolutions adopted by the citizens of Victoria, January 9, 1827. File 1931, Box 20. Texas Archives.

<sup>5</sup>Political chief to Hayden Edwards, January 6, 1827. File 163, Nacogdoches Archives.

<sup>6</sup>Commander of Texas to general commandant of the Eastern Internal States, January 9, 1827 (Bexar Archives); report of the commissioners Richard Ellis, James Cummins, and James Kerr, January 22, 1827 (Austin Papers).

<sup>7</sup>See a copy of Huber's letter in the *Arkansas Gazette*, January 30, 1827.



Even the people of eastern Texas did not rally to the standard of the Fredonians with the spontaneity one might expect from the part some of them had already taken in the affair. When the crisis approached, without assistance from the United States or from Austin's colony, they yielded to the offers of the Mexican agents—notably Colonel Bean.<sup>1</sup>

The Indians, thus, constituted the last and only hope for success of the small body of determined Fredonians. Hunter and Fields, after the conclusion of the treaty, immediately returned to the Cherokee village for the purpose of securing its ratification by the various tribes which they represented. Here great and unexpected obstacles presented themselves. Many of the warriors were absent. The Kickapoos, one of the strongest and most warlike of the associated tribes, cherished sentiments of deadly hostility toward the whole white population and could not be brought into the league. After a week's negotiating, only thirty Cherokee warriors volunteered, and half of these deserted Hunter when they arrived at Nacogdoches and found the Fredonians engaged in a drunken brawl.<sup>2</sup>

However, the factor that was of greatest importance in creating Indian disaffection was the Mexican agent. The Mexican authorities plainly foresaw that the Indians were most to be feared, that the rebellion depended upon their aid for success; and they did not hesitate about the means to be employed for detaching them. Peter Ellis Bean<sup>3</sup> busied himself with securing the alliance

<sup>1</sup>P. E. Bean to S. F. Austin, December 28, 1826. Austin Papers. Quoted on p. 146 below.

Two years later the governor of Coahuila and Texas in a letter to the minister of relations, dated March 18, 1828, said of these colonists: "The inhabitants *de los Ays* have rendered very important services to the Government by making open declaration against the revolutionists in Nacogdoches raised by Hayden Edwards and associates in December 1826, with whose assistance that nefarious assemblage was completely routed and broken up and good order restored in that section of the State." *Empresario Contracts*, 330. Translation.

<sup>2</sup>Ecote, *Texas and the Texans*, I 256, 257.

<sup>3</sup>Bean went to Mexico in June, 1825, and while there received a colonel's commission in the Mexican army. He returned in the fall of 1826, reaching San Antonio about the end of November and San Felipe December 15th, just in time to take part in putting down the Fredonian affair.

or neutrality of all Americans and Indians that could be bought off with promises of land. On the 28th of December he wrote to S. F. Austin:

"I have Divided them [the Americans] so that I have now 70 me[n] coming from the Irish Bayu to attack 30 that is in nacodoches[.]<sup>1</sup> and my letters from field yet I have no answer[.] But I am waiting howery for the answer[.] if I Suckseed in Breaking him of I then put out the fier instantly and there is litel Doubt with me in my mind But that I shall Suckseed . . ."

Two days later Bean again wrote to Austin:

"I also wrote to Richard fields and Dr. hunter[.] fields Did not Rite me but sent me word that I was to late[.] if he had of saw me one month sooner Perhaps we might of come upon tirms[.] that is all the satisfasion he Gave me.

"But if Mr. Sauseda will come as quick as Posibel on Perhaps we can make a compremise with the Ingins for they are all that is to be fearid[.] they aime at marching to Sn. Antonio if something is not quickly Done . . .

"So my Dier Sir the only way to stop this is to Come forward Sor. Sauseda and give them lands or the Countrey will [be] entirely lost[.] if we can Brake of the Ingins the thing is settled[.] you will hurry Sausada and let him now what I Right you."

The military commander in company with the political chief set out from San Antonio for Nacogdoches Dec. 11, with 125 men. They reached San Felipe January 3, 1827. Here they received the

'The attitude of these people is well illustrated in the following extract from Mr. Roberts's letter, quoted by Bean in his letter to Austin, December 30th: "it appears at Preasant Imposibel to say which side to take to save our families and Property[.] it appears at Prasant the onley corse to Pursue is to lie still and take no Pert on no side[.] the Peopel of this [vicinity (?)] Intended to try to Put Down the Rebellion untill they was eformid that the Ingins had Joynid them[.] they then came home and is Pasing their family and Property over the Sabean as fast as Posibel as they are not abel to Contend with the Combined Ingins. But the Peopel is very much Devidid[.] there is not more then 30 americans of the Rebel Perty But the Ingins is of a grait number Shawneys Dillaways Socks and quicapus and Cheris all those have Movid in this quarter[.]"

<sup>1</sup>P. E. Bean to S. F. Austin, December 28, 1826. Austin Papers.

<sup>2</sup>P. E. Bean to S. F. Austin, December 30, 1826. Austin Papers.

latest reports from Nacogdoches. Twenty days march from San Antonio, at a season of the year when the roads were almost impassable, these officers felt keenly the weakness of their small force, while their disturbed imaginations pictured every Indian in Texas in arms ready to strike the frontier at every point, and soldiers flocking to the Fredonian standard in such numbers that they must number 1000 very shortly. They halted at San Felipe to await re-enforcements and a favorable change in the weather.<sup>1</sup> A proclamation of amnesty was issued,<sup>2</sup> commissioners were sent to the Fredonians, the military commander and the political chief wrote to Fields, and Austin to Hunter.

The burden of the three letters is identical and in direct line with Bean's suggestions. The political chief in his letter said:

"When you went to the City of Mexico to solicit land for colonization in this department, I have no doubt the government received your propositions liberally, leaving to your option the selection of the land which might appear best adapted for your new colony, which promise, I can assure you, will not be violated by the government unless there should be some violation on your part. This unequivocal proof of the paternal love of the Mexican government towards those who seek an asylum within its bosom is conclusive as to the friendship and esteem with which you were treated by the supreme authorities.

"The letters which you have thought proper to write to me, offering me your services in defense of the country and its inhabitants, gave me the greatest satisfaction, and as documents of importance I forwarded them to the supreme authorities to whom I am subject, without one moment's delay, and they viewed with the greatest pleasure the sentiments of love, fidelity, and patriotism expressed by their adopted children.

"Now that I have heard through various individuals that you have offered your support and protection to the perverse individuals who, in Nacogdoches, have attacked the sovereignty of the nation . . . I am filled with astonishment and regret, and can not

<sup>1</sup>Commander of Texas to general commandant, January 9, 1827 (Bexar Archives); political chief to commander of Texas, January 4, 1827 (File 162, Nacogdoches Archives).

<sup>2</sup>January 6, 1827. File 163, Nacogdoches Archives.

but believe that you have some misconception on the subject, or have been deceived by individuals who, from interested motives, are endeavoring to compromit you in a matter of such delicacy and importance.

"I am firmly persuaded that if, with your accustomed prudence and reflection, you will take into consideration my observations, you will be satisfied that my government is just and incapable of violating its promises, unless the contracting parties, on their part, violate the contract made with them; and if the government of Mexico has not dispatched your petition for colonization, it has been because your agents did not carry the necessary credentials, or that the multiplicity of the occupations which surround them, and of which we are ignorant, has delayed it. But it can all be regulated if we treat the matter with the prudence and moderation which the subject requires."<sup>1</sup> . . .

The foregoing letters, not the first of their kind sent to Fields as is shown by Bean's communications, did not affect him nor Hunter; they faithfully adhered to their agreement. From them, however, we may judge what arguments the Mexican agents employed with the other Indian chiefs, and what price the Mexican authorities were willing to pay to break up the confederation. The agents had already succeeded in detaching from the alliance Bowles and Big Mush, two of the principal chiefs of the Cherokee nation. Bean made first mention of this division among the Cherokees in his letter to Austin, dated January 4, 1827:<sup>2</sup>

"I found out that those Rascals is Braking of from Nacogdoches[.] at this time thar is a guard of 12 men onley in the Stone house[.] I wish you to hurry on the troops as fast as Posibel for now is our time Before the ingins geather[.]<sup>3</sup> But By a leter I Racived this Day from Samuel Noris I find that the Ingins is also Devidid and it apears that they wont be hear vary shortly

<sup>1</sup>*Comprehensive History of Texas*, I 527-528. See also Mateo Ahumada's letter to Richard Fields, and S. F. Austin's to J. D. Hunter, January 4, 1827. *Ibid.*, I 525-529.

<sup>2</sup>Austin Papers.

<sup>3</sup>On the 4th of January Norris made an attack on the Stone Fort, but met with ignominious defeat. Hayden Edwards to ———, January 13, 1827. *Louisiana Advertiser*, January 31, 1827.

but the troops must hurry all that they can." The commissioners in their report also make mention of this division.

The political chief and the military commander remained at San Felipe, until the return of the commissioners. On January 22, the detachment of the Twelfth Battalion set out for Nacogdoches, and on the day following one party of Americans was despatched to Ayish Bayou, east of Nacogdoches, to cut off any re-enforcements that might approach from that quarter, and another was sent to the west of Nacogdoches to guard against any aid being obtained from the Indians. Col. Austin with the mounted militia followed a day or two later, and joined Ahumada at the Trinity.<sup>1</sup> The approach of these troops brought matters to a crisis. "Fields and Hunter were again despatched to the Cherokee village for such recruits as they could muster . . . they 'strained every nerve to rouse the faithless Indians to the performance of their reiterated promises, and their solemn obligation by treaty; but in vain. The emissaries of the Mexican government had been among them, and the renewed promises that the land they contended for would be granted, with other and great advantages, seduced them from their faith, and thus rendered the revolution hopeless.'" Fields and Hunter were murdered by the Cherokees who had gone over to the Mexican side. The forces upon whom the Fredonians had relied so confidently all joined the ranks of their opponents. Deserted, Edwards and his followers abandoned Nacogdoches on December 28 and crossed over the Sabine.<sup>2</sup>

Under the lead of Bowles and Big Mush the greater part of the Cherokees had accepted the promises of land made to detach them. After quiet had been restored, something must be done touching these promises. They had all been made by persons without authority to grant lands and must, therefore, be laid before the proper officials for confirmation. March 11, Ahumada wrote to Bustamante on this subject. He said:

"Justice obliges me to inform you that Mohs and Buls—civil and

<sup>1</sup>Commander of Texas to the general commandant of the Eastern Internal States, January 23, 1827. Bexar Archives.

<sup>2</sup>H. B. Mayo, quoted by Foote, *Texas and the Texans*, I 279.

<sup>3</sup>John A. Williams to ———, February 1, 1827. *Louisiana Advertiser*, March 3, 1827.

military chiefs of the Cherokees—agreed to and gave orders to kill Hunter and Fields, recovering the papers and flag mentioned, and giving me every proof of loyalty to and love for our government, from which they hope for a grant of some land in the district for the settlement of their tribe, which solicitation I commend to your Excellency very particularly. I beg you will take it into consideration in order that the reward may be granted them which they have earned by the valuable services they have rendered, and in view of the fact that they have offered to arrest and to deliver Edwards and other leaders of that faction in case they should cross to this side of the Sabine river and visit their village.”<sup>1</sup>

Bustamante replied, April 7, as follows:

“With your communication of March 11, last, I received without delay the documents and the revolutionary flag mentioned. It is with pleasure that I learn of the complete restoration of public tranquility in that district . . .

“The death of those perfidious demagogues Fields and Hunter is certainly a very fortunate circumstance for the happiness of the tribes, who were led astray, and for the preservation of the integrity and peace of that territory which they claimed to rule. On which account I have particularly recommended to the Supreme Government the merits of Mohs and Buls, who commanded a breach of the pledge with said visionaries and offered to arrest for you the Edwardses and as many of the rebels as recrossed the Sabine to stir up the tribes.

“Likewise I have recommended the application of these chiefs with regard to the granting of the lands which they solicit for the regular settlement of their tribe, which no doubt will be done by the Supreme Government; and I hope that you will induce them to settle where they may be happy and contribute permanently and in a profitable manner toward the pacification of the Comanches. Aided by our troops and fellow citizens of Bejar, it seems to me that the land most productive and best suited to the attainment of both objects is the San Saba cañon; but, if they should insist that lands be granted them on that frontier, let it be where it best suits the interests of the Mexican Republic, consulting as far as possible the good of the Cherokees, to whose present chiefs you will offer the

<sup>1</sup>Bexar Archives. Translation.

assurances of my special esteem, and give me due notice of what they finally say relative to the selection of lands in order that I may report it to his Excellency the President of the Republic."<sup>1</sup>

5. FAILURE TO LOCATE THEIR CLAIM.

The Fredonian affair was in part simply a manifestation of the growth that marked not only Texas, but as well the two Republics of which it formed the borderland; and in turn it became the cause that hastened certain changes which would in the course of time have come about any way. It is not to our purpose to trace all the lines that diverge from this point; but the change it wrought in the Cherokee land question, the stationing of troops at Nacogdoches, the settlement of the boundary between the United States and Mexico, and the closer relations thus established between the general government and Texas, and the results produced by the increased information thus collected are subjects that must receive attention in this connection. It has already been noticed that there had been for three or four years previous to the outbreak almost a continuous clamor for troops to be stationed at Nacogdoches. After the Fredonians were expelled, Ahumada left a detachment at this place. José de las Piedras soon arrived from San Luis Potosi with additional troops and assumed command. He did not get along well with the independent, self-governing, liberty-loving Americans, and his reports to his superiors are full of suspicions touching their plans and designs.

The rapid increase in population on both sides of the Sabine, the desire of the United States to acquire Texas, and the late troubles at Nacogdoches made Mexico rather anxious to have the dividing line between the bordering republics determined. The line agreed upon in 1819 between Spain and the United States had never been surveyed. General Terán, therefore, was appointed commissioner on the part of Mexico to fix the boundary.<sup>2</sup> He reached Texas early in 1828, and remained nearly a year. During this time he claims to have discovered secret plans among the colonists for separation from Mexico. His reports, the reports Piedras was making, and the better knowledge in general that the officials of the general government now possessed of the condition of Texas

<sup>1</sup>Bexar Archives. Translation.

<sup>2</sup>Filisola, *Memorias*, etc., I 140, *et seq.*

prompted Alamán, secretary of State, to make his famous report to congress, known as the *iniciativa*<sup>1</sup> of the more famous law of April 6, 1830, whose 11th article prohibited the settlement of Americans in Texas, and which proposed to deprive those already in Texas of their influence and power by increasing the Mexican population in that quarter and by settling foreigners among and around them.

In April, 1830, the same month that the law referred to above was enacted, General Terán was appointed commandant general of the Eastern Internal States in the place of General Bustamante.<sup>2</sup> He immediately set about to secure obedience from the colonists and to guard the integrity of the Mexican Republic. He called upon the governor of each state to send twenty families of poor Mexicans to settle upon the Texan frontier.<sup>3</sup> The four hundred and fifty families collected in this manner, aided by the troops now within and yet to be stationed in Texas, he believed would be sufficient for the attainment of the ends already mentioned; since they would receive the hearty co-operation of the Cherokee, Kickapoo, Cooshatie, and other tribes living between the Trinity and Sabine rivers. However, the governors disregarded his request and sent not one family. Terán, therefore, turned his attention to the Indians.

In the years between 1827 and 1830 very little is heard of the Cherokees. May 8, Bowles and Big Mush with thirty-six of their principal men visited the commander at Nacogdoches to ascertain the truth of a report, which had just reached their ears, to the effect that all the Indians that had emigrated to Texas from the United States would be compelled to return thither as soon as Mexico could send sufficient troops to the frontier. They claimed that John Williams was author of the report. Williams happened to be at Nacogdoches on the day Bowles arrived. The commander, therefore, questioned him in the presence of the Indians, and found that the Cherokees were entirely mistaken. They went away satisfied, protesting their confidence in the Mexican government.<sup>4</sup>

<sup>1</sup>Filisola, *Memorias*, etc., II 597, *et seq.*

<sup>2</sup>Ibid., I 147, *et seq.*

<sup>3</sup>Ibid., I 162, *et seq.*

<sup>4</sup>Francisco Ruiz to Mateo Ahumada, May 14, 1827 (File 173, Nacogdoches Archives); Anastasio Bustamante to Mateo Ahumada, June 26, and the latter to the commandant of Nacogdoches, July 12, 1827 (Bexar Archives).



July 13, the officers of the garrison at Nacogdoches held a meeting at which it was resolved to send Lt. Nicolas Flores to the Cherokee village to deliver to the principal chief the commission of lieutenant colonel, conferred upon him by the general government, and to ask him to repair to Nacogdoches to receive the presents made him by the supreme government and the orders of the commander of that post to co-operate in preserving the peace and repose of the country.<sup>1</sup> Lieutenant Flores returned on the 18th and reported that Bowles was greatly pleased with the honor bestowed upon him. Next day the chief appeared in person, and placed himself with his people at the disposition of the commander.<sup>2</sup>

January 8, 1828, Bowles visited Colonel Piedras and informed him of his desire to tighten the bonds of friendship between the Cherokees and Mexico, and that he wished to give his people an example of how they might show the gratitude and good will with which they offered to protect this Republic. And to perpetuate this relation he wished to place two of his little sons under the care of the government to be educated and instructed in public affairs in a place where they would not be distracted by the sight of their companions, the Cherokees, or any of the other tribes.<sup>3</sup>

The good will manifested by the Cherokees, as exhibited in the preceding paragraphs, appears to have been reciprocated by the Mexicans, although they had not yet been put into possession of their lands. After General Terán failed to obtain the Mexican families which he purposed to settle on the borders of Texas, he decided to plant the Indians firmly where they were then settled by giving them land, and thus hinder at least in some degree the rapid growth of the American settlements. August 15, 1831, he wrote to the governor of Coahuila and Texas:

"In compliance with the promises made by the Supreme Government, to the Cherokee Indians, and with a view to the preservation of peace, with the rude Tribes, I caused them to determine upon some fixed spot for their Settlement, and having selected it on the

<sup>1</sup>Mariano Cosío to Mateo Ahumada, July 13, 1827. Bexar Archives.

<sup>2</sup>Same to same, July 24, 1827; Bustamante to Ahumada, September 5, and the latter to Mariano Cosío, August 9, 1827. All in Bexar Archives.

<sup>3</sup>José de las Piedras to Antonio Elosua, January 8, 1828. Bexar Archives.

head waters of the Trinity, and the banks of the Sabine, I pray your Excellency may be pleased, to order that possession be given to them, with the corresponding Titles, with the understanding, that it will be expedient, that the commissioner appointed for this purpose, should act in conjunction with Colonel José de las Piedras, commanding the military force on the frontier of Nacogdoches."<sup>1</sup>

Governor Letona, whom Austin describes as being "unfriendly to Texas and hostile to Americans,"<sup>2</sup> readily fell in with Terán's order, notwithstanding the fact that its execution would have infringed upon the rights of the State, as will appear below,<sup>3</sup> and have wrought great injury to Texas.<sup>4</sup> Accordingly he transmitted General Terán's order to the political chief of the department of Bexar with the following note:

"This I transcribe to your Honor for your information and in order that you may take the necessary measures, that the above mentioned tribe of Indians may apply to this Government through an Attorney, empowered for this purpose, that a decree may be issued, similar to that relative to the Coshattee and Alabamo Indians, on the 19th of July last."

In reply to the above official note the political chief said:

"Informed by the official communication of the Commander in Chief of these States, dated 15th Aug[.] last, That possession is to be given to the Cherokee Indians, of the places which they have selected, and of all which, Your Excellency is pleased to transcribe to me, in your official communication of the 1st instant. I shall issue the necessary orders to the Alcalde of Nacogdoches, to inform the said Indians, that they must apply to the Government by Attorney, empowered to represent them, and negotiate for the grant of the lands they require, yet nevertheless, I feel it my duty, to represent to your Excellency, that this tribe as well as that of the Coshattees and Alabamos, who wish to have titles to lands will find it to be

<sup>1</sup>Governor Letona to the political chief of the department of Bexar, September 1, 1831. *Record of Translations of Empresario Contracts*, 89. Translation by Thomas G. Western.

<sup>2</sup>S. F. Austin to the president of the senate of Texas, December 5, 1836. *Appendix to Empresario Contracts*, 441.

<sup>3</sup>Governor Beramendi's resolution, p. 162, below.

<sup>4</sup>Bean's letter to Elosua, p. 161, below.

very difficult to defray the expenses of the Attorney, or agent required of them, to represent them at the Capital, for inasmuch as they are uncivilized and poor, the citations I have made will be useless, and even supposing that they could procure them, and that the lands were granted to them conformably to the Colonization Law, the difficulty would still present itself, of their not having wherewith to pay the fees of the Commissioner or Surveyor, nor the Stamp paper for the Titles, to be issued upon, nor the amount due to the State, as established by said law, and therefore, if some other measure is not adopted, it is probable nothing will be done in this affair, unless the Commanding General, under the authority of the Commission from the Supreme Executive of the Union, should settle them as colonists of the new Settlements, projected at the expense of the Federal Government.”<sup>1</sup>

The new settlements alluded to in the preceding letter were provided for by the law of April 6, 1830. According to its 3d article a commissioner or commissioners were to negotiate with the legislatures of the border States for the purchase of the lands on which to locate these new settlers, who were (7th Art.) to receive the aid of the government to the extent of one year's free maintenance, free land, and free agricultural implements. Governor Letona adopted the suggestions made by the commandant general and the political chief in their respective letters, and in pursuance thereof directed the following note to the latter:

“Under this date I have commissioned Colonel José de las Piedras, to put each of the families, composing the Tribe of Cherokee Indians, in possession of the lands which with consent of this Government, and that of the Nation,<sup>2</sup> they are possessing in this department.

“Your Honor will therefore cause the above mentioned Commissioner, to be furnished with such Stamp paper, as he may require for the above mentioned purposes, on his own responsibility.”<sup>3</sup>

<sup>1</sup>Political chief to Governor Letona, September 25, 1831. *Record of Translations of Empresario Contracts*, 90.

<sup>2</sup>Cf. Governor Beramendi's resolution, pp. 162-163 below, which qualifies this statement very greatly.

<sup>3</sup>Governor Letona to the political chief, March 22, 1832. *Translations of Empresario Contracts*, 90.

Colonel Piedras informed the Political Chief of his acceptance in the letter following, while at the same time he requested further instructions:

"His Excellency the Governor of the State, in his official note of 22d of March, has been pleased to commission me to adjudge lands in right of property to the families composing the Cherokee tribe of Indians, transmitting to me also instructions for my government, and having accepted the appointment for the purpose of preserving better order on this frontier, I inform your Lordship of the same, as one of the first duties imposed upon me by this appointment, and I await that you may be pleased to communicate to me your orders, and give me instructions for the better discharge of it, craving you will communicate to the Civil Authorities the necessary orders in relation to the matter, as may be requisite to effect the object required."<sup>1</sup>

Additional instructions were sent to Colonel Piedras by the Governor on the 9th of August;<sup>2</sup> but before they had been issued, Colonel Piedras had been expelled from Nacogdoches by a party of Texans.<sup>3</sup> This event terminated the measures that had been taken to put the Cherokees in possession of their lands; despite the fact that General Terán, heartily seconded by Governor Letona, had been very anxious thus to ensure the friendship of these Indians.

Before the claims of the Cherokees were again brought forward important changes took place in the body of officials upon whom the management of this business devolved. With Piedras's expulsion the garrison at Nacogdoches withdrew to San Antonio and never returned. General Terán, "a genuine monarchist" and the colonists' "archenemy" committed suicide, and his position of commandant of the Eastern Internal States was filled by the appointment of General Vicente Filisola in January, 1833. General Filisola was himself one of the Texan *empresarios*, having obtained a permit, October 15, 1831, to colonize 600 families within a dis-

<sup>1</sup>José de las Piedras to Ramon Musquiz, May 7, 1832. *Translations of Empresario Contracts*, 91.

<sup>2</sup>Governor to José de las Piedras, August 9, 1832. Nacogdoches Archives.

<sup>3</sup>Col. Bullock's report of the engagement at Nacogdoches. Brown, *History of Texas*, I 192.

trict including a large portion of the land claimed by the Cherokees.<sup>1</sup>

Governor Letona, who was "hostile to Americans" and in harmony with Terán, fell a victim of the yellow fever epidemic late in the year 1832; and Vice Governor Beramendi, who took his place, was a warm friend of Texas and the Texans. It is not surprising, therefore, to find that measures which had apparently been settled were taken up anew, re-examined, and viewed in an entirely new light. However, if it was the Mexicans who seemed to have pushed their claims during 1831 and 1832, it was the Cherokees themselves, aided by their Anglo-American neighbors,<sup>2</sup> who urged them during 1833. A number of these Indians proceeded to San Antonio and laid their business before the political chief. July 20, 1833, the latter wrote to the Secretary of State of Coahuila and Texas: "I enclose for the information of the supreme authorities the original applications, in English, (together with a translation,) of the Cherokee tribe of Indians, in which they request that they be put in possession of the land which they designate in accordance with a previous offer made them. . . .

"To attend to the particulars [enumerated in the petition] a commission of three, selected from the six representatives present, will proceed to the capital in order to treat in person upon an affair in which the honor of the government is already com-

<sup>1</sup>Cf. Governor Beramendi's resolution, p. 162, below.

<sup>2</sup>This statement may seem strange, but the action of the convention of 1832 can not be interpreted in any other way. October 3, Mr. C. S. Taylor, of Nacogdoches, moved that a committee be appointed "to memorialize the State government on the subject of land granted to and petitioned for by the North American tribes of Indians, so as to remove much anxiety evinced by them." A committee was appointed whose members were very nearly all East Texans, and it reported (October 5) an address to the *ayuntamiento* of Nacogdoches, requesting that honorable body "to investigate the affairs and to learn the wishes of the North American tribes of Indians in relation to their lands, so that they may become assured of our friendship by active steps taken in their behalf. . . .

"And lastly, we beg the Ayuntamiento of Nacogdoches will make known to the Indians that the disposition of the people of Texas is to assist them in obtaining good titles to, and possession of land, and not to deprive them of that which they already claim."—*Proceedings of the General Convention* [of 1832], 11, 20.

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promised. The commissioner José de las Piedras, to whom the matter was entrusted, was not able to discharge it because of his departure from Nacogdoches, whither he has not returned up to this time.”<sup>1</sup>

A copy of the petition referred to by the political chief reads as follows:

“The subscribers have been appointed commissioners by the Cherokee tribe of Indians to solicit from the government of the State of Coahuila and Texas a title to a certain tract of land which said government offered<sup>2</sup> to them for the establishment of a colony of their tribe.

“The subscribers state that the tract they have selected under the promise of the government is located in the vicinity of Nacogdoches; and is bounded as follows: Boundary begins where the Bexar road crosses the Trinity river, and follows said road in the direction of Nacogdoches to the Angelina river; thence it proceeds up the right bank of said Angelina river to where José Dust now lives; thence it continues with the course to the northeast till it touches the Sabine river; thence up the right bank of said Sabine river to its headwaters; thence west till it touches the Trinity river; and finally from thence down the left bank of said Trinity river to the point of beginning.

“The subscribers represent to you that, after the government had promised to give them said tract, they settled in it, and from that time forward have cultivated it in the hope of securing complete ownership. But some years having passed since the government made them that promise, they request that the government send a commissioner to put them in possession, for which office they recommend Don Manuel Santos Coy, a resident of Nacogdoches and qualified to carry out this commission.

“The subscribers state further that some Americans have selected for their own use the best places within the tract pointed out, and that they stated to the chiefs of the tribe that these acts were authorized by the government. The subscribers have been duly appointed by the members of said tribe to arrange this mat-

<sup>1</sup>*Appendix to Empresario Contracts*, III 278, 281. General Land Office. Translation.

<sup>2</sup>Cf. Governor Beramendi's resolution, p. 162, below.

ter, to request of the government the favor of putting them in possession of said tract of land immediately, and to ask that the commissioner be instructed to grant a title for the whole tract to be held in community.

"In addition, it is absolutely necessary that the Americans be removed, who settled on said tract after the subscribers had a claim to it by virtue of the promise made them by the government, or, at least, that the land which they have selected be not taken from that belonging to this tribe.

"The subscribers further state that it is now four years since they sent to the government the census of the population of their tribe, and that since that time there has been an increase in the number of individuals of the tribe amounting to 190 or 200 persons. This increase is due to our boys growing into men and to the immigration of our fathers and brothers, who have come to live with us. We desire that these persons be entitled to the same privileges as those who came earlier. The tribe at present numbers about 150 families, comprising about 200 men, the total number of persons being about 800. The property of this tribe consists of about 3000 head of cattle, about the same number of hogs, and of 500 or 600 horses. The subscribers inform you that said tribe lives chiefly by tilling the soil and by raising cattle. They believe that the land designated will be sufficient for their farms and ranches. . . .

"Colonel Boles,  
John Boles,  
Richard Jestice.

Piggion,  
Andrew M. Vann.  
Eli Harlin."<sup>1</sup>

The political chief in his communication of July 20, already referred to, takes up the paragraphs of this petition one by one and comments upon them as follows: "There can be no doubt as to the advantages that will result to this department from the settlement of these Indians, who are almost civilized; provided always, that they can be induced to acquire our language and adopt our customs and laws, so that as far as possible they may be governed by them. In this way, and by settling Mexicans among them, the naturalization of these immigrants, though slowly, will

<sup>1</sup>*Appendix to Empresario Contracts*, III 282-284. General Land Office. Translation.

be accomplished. In case of war and in the useful arts they may prove themselves very serviceable to this country.

"But, in my opinion, before executing this contract—although for the present and a certain number of years they may be permitted to govern themselves by their own customs—they should be made to understand that they live subject to the authorities of the land, and that their orders, requests and demands must be obeyed. They shall make war on the Tehuacanas and Comanches, and shall never enter into an alliance with them or any other tribes, unless it be those who live in towns and are subject to this government. . . . They shall never join riots nor any political uprising that may occur in this country, unless they are expressly invited to do so by the supreme authorities. In contravention of this provision, their act shall make null all claims to land that may be granted to them; and, furthermore, they shall be expelled from the Republic. And they should be required to prohibit the further immigration of Indians, even if of like tribe as their own, except by the express permission of the authorities.

"I am also of the opinion that the tract of land which they solicit is too large. It forms a square whose sides are almost 35 leagues: a territory too large for the 150 families which these Indians number. The supreme authorities will resolve upon this point what seems best to them. . . . As they indicate in their petition, they wish the land granted them to be undivided, and to possess it in community. This, they say, is their custom. . . ."

On July 20th, the political chief granted a pass to Colonel Boles, Andrew M. Vann, and Eli Harlin of the Cherokee nation, permitting them to proceed to the capital for the purpose of concluding the business which brought them to San Antonio.<sup>1</sup> After arranging matters with the state authorities at Monclova, the party returned without informing the political chief of the results of their journey. However, "the chief of the Cherokee nation exhibited to the alcalde of Nacogdoches a communication from the vice governor of the State, stating that said tribe should not be disturbed in their present possessions until the supreme general government had resolved upon the question submitted to it."

<sup>1</sup>*Appendix to Empresario Contracts*, III 285.



Bean, from whose letter this notice is taken, did not approve of the course pursued by the Cherokees after Bowles's return from Monclova. He disclosed their schemes to the military commander in the following terms:

"In consequence of priority of claim, which said tribe believes to possess to the lands they occupy, they are already planning the introduction of a large number of families of their own nation, and are only waiting till the lands shall be given to them in legal form. For this reason, it has seemed proper for me to say in regard to this nation that, if those Indians obtain possession of the tract of land which is situated about five leagues distant, there can be no doubt that the arrival of those families will fill those lands with a class of barbarous people, and that it will become more and more difficult to cause them to go back. And I believe that it will greatly prejudice all the inhabitants of this frontier.

"Taking into consideration what has been stated above, and keeping in mind the public good of this frontier and of the State, I hope your honor will communicate to the supreme government of the State, through the political chief, that which will be most effective in securing the following object, viz.: When you shall be authorized to grant lands on which said Indians may settle, those lands should be located next to the nations with whom we are now at war. In this way and with such provisions, the expenses will be obviated which we have been obliged to make in subjugating our enemies, the Comanches and Tehuacanas. The Cherokees should be made to understand that the government gives them the lands next to the hostile tribes as the land which they claim by promise from the government."<sup>1</sup>

This letter reached the political chief October 23,<sup>2</sup> and on the next day he wrote to the alcalde, "Inform me plainly and without delay of the contents of the communication of the supreme government of the State . . . Also inform me in regard to the other particulars which have merit in Bean's note; for there is not, in this political chief's office under my charge, the least knowledge

<sup>1</sup>P. E. Bean to the commander of Coahuila and Texas, October 7, 1833. *Appendix to Empresario Contracts*, III 288-290. Translation.

<sup>2</sup>*Ibid.*, p. 291.

of said supreme orders, much less of the attempts of the Cherokees to introduce new families. . . ."<sup>1</sup>

In his reply, dated November 19, 1833, the alcalde stated, "that it is true that the chief of that tribe presented to me, when he returned from Monclova, a document issued by his excellency, the governor of the State . . . Although I have endeavored to secure the document referred to, it has not yet been obtained. As soon as I secure it, I will forward you a copy."<sup>2</sup> The promised copy was not secured until February 21st<sup>3</sup> of the next year, when the following transcript was made and forwarded to the political chief:

"Citizen Juan Martin de Beramendi, Vice Governor of the free State of Coahuila and Texas, exercising the supreme executive power—

"Colonel Boles, Andrew M. Vann, and Eli Harlin of the Cherokee nation, having presented themselves before me in this capital for the purpose of obtaining proprietorship of the tract of land which the said nation at present occupies in the department of Bexar, I caused an examination to be made of the points in the report, which the political chief of that department enclosed in his letter of July 20th, last, and which the representatives named above have delivered. It being noticed that said Indians have located their habitations on the headwaters of the Angelina and of the Cherokees,<sup>4</sup> which points are included in the colonization grants of the foreigner David G. Burnet and of General Don Vicente Fillsola, it is not possible to grant the aforesaid petition; because the time allowed to said *empresarios* for completing their contracts has not yet expired.

"In reply to this objection, the petitioners stated that for nine years they have lived in that part of the State under my charge by the permission of the supreme general government, granted to said Boles and Richard Fields in the city of Mexico; and that they believe themselves in possession of better rights than the said

<sup>1</sup>*Appendix Empresario Contracts*, III 297. Translation.

<sup>2</sup>*Ibid.*, 298. Translation.

<sup>3</sup>*Ibid.*, 299.

<sup>4</sup>For boundary of their lands, see p. 158 above.

*empresarios*, because their grant is older. Notwithstanding, they have no other documentary evidence than the word which the supreme chief of the Republic gave them, and a map that he delivered to them, on which was designated the territory, the same now occupied by them.

"In consideration of all the above, I have directed that said tribe shall not be disturbed for any reason whatever, until the supreme general government may decide whether in truth it granted to said tribe the concession to which reference has been made at the aforementioned time;<sup>1</sup> or until the termination of the extension of time that the honorable congress has granted to David G. Burnet. In either case the chief of said tribe shall be notified, so that by means of an attorney he may be represented in this capital for the purpose of concluding a suitable contract.

"For the security and protection of the Cherokee tribe, which henceforth subjects itself to the constituted authorities of the State under my charge, I give these presents in the city of Monclova, on the twenty-first day of August, in the year one thousand eight hundred and thirty-three. Beramendi."<sup>2</sup>

This was the status of the Cherokee claims on August 21, 1833. Facts which had been ignored in the transactions of the two previous years, suddenly arose to postpone the matter for at least two more years; for on March 10, 1835, the political chief of the department of Nacogdoches wrote that, "The supreme government of the State, satisfied with the intentions of the Cherokees, Cooshatties, and other Indians, will not permit them to be disturbed in the lands which they now occupy until the supreme general government shall determine upon the matter; . . ."<sup>3</sup> nor is it likely that anything was done by the general government during the remainder of 1835, since Santa Anna was then carrying on a revolution for the dictatorship. The State could do nothing but offer protection to the Indians while they insisted on remaining where they were,

"That the supreme general government did *not* "grant to said tribe the concession to which reference has been made at the aforementioned time" is amply proved in the preceding pages.

<sup>1</sup>*Appendix to Empresario Contracts*, III 300. Translation.

<sup>2</sup>Blotter of letters from political chief of the department of Nacogdoches to the alcalde of Nacogdoches. General Land Office.

and the time of Burnet's original contract had been extended three years—to December 21, 1835.<sup>1</sup>

The State authorities, seeing that it was impossible to put the Indians in possession of their lands soon, and that it would perhaps be impracticable ever to locate them where they were then settled, adopted the suggestions made by the political chief and by Colonel Bean in their letters of July 20, and October 7, 1833, namely, that the Indians "should be located next to the nations with whom we are now at war," and on the 12th of May, 1835, the congress of Coahuila and Texas passed the following measure, published by the governor as decree No. 313:

"Art. 1. In order to secure the peace and tranquility of the State, the Government is authorized to select, out of the vacant lands of Texas, that land which may appear most appropriate, for the location of the peaceable and civilized Indians which may have been introduced into Texas.

"Art. 2. It shall establish with them a line of defense along the frontier to secure the State against the incursions of the barbarous tribes."

However, the best proof that the Cherokees did not profit by the provisions of this decree is the fact that they never claimed lands other than those occupied by them. These lands, as we have seen, lay within David G. Burnet's and General Filisola's colonization grants, the time for completing which would expire in December, 1835. Before the expiration of these contracts neither the State nor the general government could put the Indians in possession of the lands which the latter claimed, without the consent and approval of the *empresarios*. And six weeks before the expiration of their contracts, the land business in Texas was suddenly arrested.

On November 11, the Consultation of Texas, at San Felipe, adopted the "Plan of the Provisional Government." The 14th article of this plan provided, "That all land commissioners, empresarios, surveyors, or other persons in anywise concerned in the location of lands, be ordered forthwith to cease their operations during the agitated and unsettled state of the country, and continue to desist from further locations until the land office can be properly systematized by the proper authorities which may hereafter be established. . . ."

<sup>1</sup>Decree 192, *Laws of Coahuila and Texas*.

The Cherokees, then, had obtained definite promises of land from the officers of the department of Texas by the course of conduct observed during the Fredonian affair. These promises were never sanctioned by the general government, but in a general way they were acquiesced in by the government of the State. However, the Cherokees did not profit by them, but practically made them void by their unreasonable stubbornness in insisting that the land granted them should be that on which they then lived. They seem to have regarded the promises made them as relating specifically to this tract, and, moreover, that they were retroactive in their effect. But, as has been seen, these lands even before the Fredonian affair began had been turned over to certain *empresarios* for colonization, and had thus been withdrawn for a time from further disposal of the government. The Mexican officials were willing to put the Indians in possession of land; but the latter would not consent to remove to the frontier to accept vacant lands. Therefore, when the act of the Consultation stopped forever the issuance of valid land grants by the Mexican authorities, the Cherokee claim had not yet been located and converted into an incontestable title, but was still floating.

MILES SQUIER BENNET.<sup>1</sup>

ADELE B. LOOSCAN

HISTORIAN, DAUGHTERS OF THE REPUBLIC OF TEXAS.

Colonel Miles Squier Bennet died at his home on the Guadalupe river, north of Cuero, at 5 o'clock on the evening of May 3. With the passing of this venerable representative of the old school, Texas mourns one of those who shared her early trials in the days when enemies beset her on every hand, one who contributed to her welfare as a citizen, as a soldier, as a noble Christian gentleman.

His father was Major Valentine Bennet, and his mother Mary Kibbe. They lived near Buffalo, New York, where, on December 14, 1818, Miles Squier was born; soon afterward the family emigrated to Louisiana, his mother died and his father took him to Cincinnati, where he remained until 1838, when, with his father, who had, in the meanwhile, become a colonist in Texas, he went to the Lone Star State.

As a member of De Witt's colony, his father was one of those brave men who in 1835 made Gonzales famous for her defiant attitude toward Mexican aggression. His name is recorded as one of the "Old Eighteen Defenders of Gonzales." He also took part in the battle of Concepcion, and was complimented by his commander for efficient services at the siege of Bexar in the same year. In the Texas army he held the rank of assistant quartermaster general.

At the time of the arrival of Miles S. Bennet in Texas, which was on June 3, 1838, that being the date of his landing at Galveston, his father was a commissioned officer stationed at San Antonio by order of General Barnard E. Bee; and in this service he also enlisted. Under Captain Hays, he engaged in surveying lands on the Frio river, where he several times narrowly escaped capture at the hands of the Indians; he engaged in many scouting parties against them in the general defense of the settlers, and when the Mexican General Vasquez invaded Texas, he served in the commands of Generals Henry and Ben McCulloch in their march

<sup>1</sup>Reprinted from the *San Antonio Sunday Light* for May 31, 1903.

against him. Subsequently he participated in the campaign which at the battle of Salado succeeded in repulsing and driving out the Mexican General Woll after his daring capture of San Antonio in 1842.

In 1841 Miles S. Bennet settled in De Witt county, making his home on the headright given him by his father, a place long known as the Valentmirk home, so-called in honor of his father's name, Valentine. In 1843 he married Miss Bathsheba Gibson, a lady no less noted for her heroic conduct in times of danger than for her Christian virtues in the quiet circle of her home life. In their pleasant country home they lived together fifty-eight years. Mrs. Bennet was called to the higher life in June, 1901. Their eight children survive them. They are: Sam D., Robert M., Valentine, Dudley M., Marie B., wife of Dr. Max Urwitz, of Houston, Mrs. J. R. Wofford of Cuero, Mrs. T. M. Walker, of Gonzales county, and Miss Annie Bennet, who is unmarried and always made her home with her parents.

At the breaking out of the war between the States, Miles S. Bennet enlisted in Captain Cook's regiment, and was at the capture of Galveston, January 1, 1863.

Throughout a long life of more than sixty-five years in Texas he was ardently interested in his country's welfare. As a member of the Presbyterian church he attended the first meeting of the Texas Presbytery in 1851, at Victoria, and attended nearly every meeting held since; he was present at the semi-centennial at Victoria in 1901. As a member of the Texas Veteran Association since its organization, a meeting seldom or never occurred without the presence of himself and wife, and one of the chief delights of his declining years was this yearly reunion with old companions and friends. Gifted with fine mental faculties and unfading memory, the leisure moments of his later years were sometimes employed in writing of events in Texas' history. One of these articles, published in the *QUARTERLY* of the Texas State Historical Association at Austin in April, 1899, gives a very clear and interesting account of the battle of Gonzales, the Lexington of the Texas revolution. It is signed, Miles S. Bennet, captain Company E, ex-ranger battalion. This signature is a significant indication of the social qualities of his nature, a desire to be associated with those companions who had mutually shared life's dangers and hardships. Among

those who mourn his death are the members of this organization, as well as the other orders, military and religious, to whose memories he was endeared by ties of loving companionship.

"The bravest are the tenderest,  
The loving are the daring."

The long train of carriages which formed the funeral cortege conveying his remains from the Presbyterian church in Cuero to Hillside cemetery was a testimonial of the popular esteem of his fellow citizens, and the many beautiful floral emblems with which loving hands sought to conceal all suggestions of earth's decay, seemed to speak of love's fruition in those blest abodes, toward which his Christian faith had unswervingly led his footsteps.



## BOOK REVIEWS AND NOTICES.

In continuation of the series of *Early English Voyages to the Pacific Coast*, the May number of *Out West* contains the concluding installment of the voyage of Sir William Dampier (1686), and the August number begins an account of the voyage of Woods Rogers (1708), which is continued in the September and October issues.

*Publications of the Southern History Association*, July, 1903 (Vol. VII, No. 4). This issue of the *Publications* is devoted entirely to documentary material under the following titles: *Capture of St. Mary's Georgia* (by the English in 1815); *Texas Revolutionary Sentiment* (concluded); *The Duane Letters* (continued); *General Joseph Martin* (concluded); *Calhoun by His Political Friends* (continued).

The Texas documents consist of the proceedings of Committees of Safety and Correspondence, and of public meetings preparatory to the Texas Revolution.

*The American Historical Review* for July (Vol. VIII, No. 4), contains, besides documents, book reviews, communications, and an index, four contributed articles, namely: *The Early Norman Jury*, by Charles H. Haskins; *Some French Communes, in the Light of Their Charters*, by Earle Wilbur Dow; *The Youth of Mirabeau*, by Fred Morrow Fling; and *St. Eustatius in the American Revolution*, by J. Franklin Jameson. The first two articles are interesting studies in mediæval institutional history. Professor Haskins throws light on "the obscure stage in the growth of the jury" between the close of the ninth century and the reign of Henry II. His article is based primarily upon the "Old Cartulary" or *Livre Noir*, of the chapter of Bayeux. Professor Dow claims to show, by a new interpretation, but without using any new material, that the mediæval communal charters are not the unsystematized compositions they have usually been considered, "deformed, disordered enumerations where the most diverse subjects are begun but not completed, and where obscurities, omissions, and sometimes contradictions abound," but that, on the contrary, they are relatively

systematic and logical. The documents printed are: *Correspondence of Comte de Moustier with Comte de Montmorin, 1787-1789.*

*Year Book for Texas*, Vol. II, (1902). Compiled by Caldwell Walton Raines, State Librarian. Austin: Gammel-Statesman Publishing Company. 1903. 8vo, pp. iv+483, illustrated; cloth.

In size, mechanical finish, and contents, Volume II surpasses its predecessor, in which Judge Raines so well began his undertaking. A detailed review of such a condensed summary is out of the question, but one may gain a comprehensive idea of its contents from the sub-titles, "Party Conventions, Election Returns, Inauguration of Governor Lanham and Lieutenant-Governor Neal, Legislative Work, Public Officials and Current Reports of Departments and State Institutions, Important Events, Obituaries of Distinguished Dead, Industrial Development, Statistics, Biographical Sketches, and Historical Manuscripts Never Before Published." The manuscripts consist of two sets of documents, one set relating to Stephen F. Austin and the other to General Houston. The book has an adequate index; but lacks a table of contents, which would unquestionably enhance its value to the cursory reader. It seems, too, that the matter might be rendered more accessible by dividing the book into chapters, devoting one to each of the sub-titles given above, and grouping under it the material belonging thereto. Take, for example, the necrology; obituaries are scattered throughout the book. Obviously they might better be grouped and arranged alphabetically. The same is true of each of the other departments treated.

The *Transactions of the Texas Academy of Science for 1902* contains many articles of interest.

The annual address of the President, R. A. Thompson, on the *Regulation of the Issuance of Texas Railroad Securities by the State Government* forms a valuable contribution to Texas railway economic literature. It depicts the conditions leading up to the passage, and indicates the results of the operation of the so-called "Stock and Bond Law" in Texas. Mr. Thompson arrives at the conclusion that the law has accomplished the purposes for which it was designed.

Mr. J. D. Mitchell contributes an article on *The Poisonous Snakes of Texas, with Notes on Their Habits*. As stated by the author, the purpose sought in the publication of these notes are:

"*First.* To contribute to what is already known of the habits of the poisonous snakes of Texas.

"*Second.* To register a plea for the protection of the useful and non-poisonous snakes.

"*Third.* To provoke investigation into the habits of all snakes that a true and correct knowledge of their usefulness or danger to mankind may be known."

*A Contribution to a Knowledge of the Coleopterous Fauna of the Lower Rio Grande Valley in Texas and Tamaulipas, with Biological Notes and Special Reference to Geographical Distribution* is a paper by Mr. C. H. T. Townsend. In it the distribution of 522 species of Coleoptera is recorded.

Dr. H. Y. Benedict of the University contributes a pedagogical essay on *An Ideal History of Experiments on the Regular Pentagon*. The paper describes the new methods that are coming to prevail in the teaching of mathematics, and enters a plea for the more extended use of experimental geometry.

ALEXANDER DEUSSEN.

## NOTES AND FRAGMENTS.

THE HISTORY CLUB OF SAN ANTONIO.—This club was organized in 1896. It has been far beyond the average in the interest and success attendant on its work. The attractive little booklet issued as its Calendar for 1903-1904 shows that the work of the Club this year is to be mainly in English history prior to the Norman Conquest. Two meetings will be given to Texas history. The membership of the club is limited to thirty. The officers for the current year are Mrs. George R. Gillette, president; Mrs. George W. West, first vice president; Mrs. Robert B. Green, second vice president; Mrs. William Negley, third vice president; Miss Jennie Lupton, recording secretary; Mrs. J. Townsend Woodhull, corresponding secretary; Miss Bessie Newton, treasurer; Mrs. John V. Spring, historian; Miss Maud Long, librarian; Mrs. L. B. Clegg, auditor.

A DESCRIPTION OF TEXAS IN 1845.—Mr. Horace E. Wilson of Junction, Kimble county, has in his possession a sheet from the *Illustrated London News* of January 4, 1845, containing a brief description of Texas, illustrated with engravings of Houston (incorrectly called the capital) and Galveston, and of "A Review of Texan Troops." The review is evidently a sketch from fancy little informed by observation. The engravings of Houston and Galveston have been submitted to ex-Governor Lubbock, who knew the cities well at that time, and there is no feature that he can recognize.

The description shows some knowledge and considerable ignorance of Texas. The English attitude appears in the following quotation: "One of the noblest acts of Lord Palmerston's policy was the Texan treaty, and we are of opinion it should be defended equally against the superstitions of the Spanish Mexicans, and the cupidity of American speculators."

AUSTIN'S MAP.—Captain Martin M. Kenney contributes the following translation of the letter sent with the map to Political Chief Ramón Musquiz for transmission to Governor Viesca of the State of Coahuila and Texas, and ultimately to President Guerrero. The translation was made from a copy of the letter which is now pre-

served in the General Land Office, and which was doubtless at one time in the Bexar Archives:

I transmit to his excellency the governor of the State through your hands my original map of Texas accompanied with some notes, to be sent by the governor to his excellency the president through the hands of his excellency the secretary of the treasury, Don Lorenzo Zavala, to whom I have given information of having sent the map by the hands indicated. I have devoted much labor to making this map. It is all original with the exception of the observations of his excellency General Terán noted at the foot of the map. There was no map nor plan of Texas to serve as a guide for me, and if it is not exact in all particulars, that is to be attributed to the infinite difficulties which impede the acquisition of data relative to a country so extensive and destitute of population as Texas is. I can recommend the map for general exactness, and I believe that the southern part and that joining on Louisiana and Arkansas are very exact in their details. There may be some mistakes on the heads of the Brazos and Trinity rivers on account of its being very difficult to obtain data for those distant and little known countries. I perform this service to my adopted country in deference to the duty of a citizen and in case that his excellency the president should esteem it proper to command the map to be engraved and published I grant to the national government for that purpose all the right to the map which belongs to me by the law as its author.

God and Liberty. Town of Austin, 23rd of July, 1829.

STEPHEN F. AUSTIN.

To citizen Ramón Musquiz, chief of the department of Bexar.

"THE FRANKNESS OF A SOLDIER."—Considering the nature of Mexican methods of warfare as they had revealed themselves to the experience of the Texans, and remembering the unpleasant and untrustful relations existing between Texas and Mexico at the time when the letter which is printed below was written, one must regard it as a most unique document. Whether the assumption that characterizes it is hypocritical or simply childishly naive is a little difficult to determine.

Head Quarters of the Army of the North.

Office of the Commanding General.

LAMPAZOS [MEXICO], 21st April 21st, 1841.

(Confidential.)

To Mr. Mirabeau Lamar

Sir

In that spirit of confidence, usual amongst men of honour, I

6—Q

address you this communication, which will be handed you by Dr. Rafael Uribe, despatched by me, for the purpose.

The Indians ferocious and sanguinary and perfectly faithless, should be driven beyond the bounds of civilization, and to effect this, a force will soon move from the banks of the Rio Bravo.

At the present time War should be carried on, with a frankness and gentlemanly generosity, compatible with the customs and civilizations, to which fortunately both men and Nations have arrived in this age.

Therefore, in accordance with these maxims, I make known to you, with the frankness of a soldier, and with that noble conduct, which should govern all hostilities that the expedition has not in view, as might be supposed, a surprise upon those Colonies, but simply to chastise the ferocious enemies of humanity. This expedition will not commit any acts, which will injure any of the inhabitants or citizens of the country, through which it may pass.

This communication must only be interpreted as a manifestation of the anxiety I entertain, for the success of the campaign against the Indians; and not as a suspension of hostilities between us.

*Our* difficulties, originating, since those colonies declared their pretensions to Independence, will be settled at some better time, either by the force of reason and judgment, or if that fail, upon the field of battle.

I am, sir, your most humble servant

(Signed)

MARIANO ARISTA.<sup>1</sup>

<sup>1</sup>Diplomatic correspondence, Republic of Texas, No. 90. The letter may be a translation, but there is nothing to mark it certainly as such.

QUERIES AND ANSWERS.

Any one having a copy of THE QUARTERLY, Vol. I, No. 4, for sale, will please address

B. W. WYCHE, Librarian,  
Carnegie Library,  
San Antonio, Texas.

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1. Can any member of the Association direct me to a picture of any officer or vessel in the Texas navy, 1835-1845, or to important unpublished material respecting the same?

2. Has any explanation ever been given of the final disposition of the original written *Declaration of Texas Independence* carried from the convention room by Homer S. Kimble, other than that found in Scarff's *Comprehensive History*? Did Kimble ever return to Texas, or was any effort ever made to recover the document from him?

(Dr.) ALEX DIENST.

Temple, Texas.

## AFFAIRS OF THE ASSOCIATION.

In the list of accessions to the library of the Association for the year 1902-1903, published in the last number, the gift of Z. N. Morrell's *Flowers and Fruits of Forty-six Years in Texas* is inadvertently credited to Mr. S. H. Hickman. The donor is Mrs. J. C. Brown, of Hearne, Texas.

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Mr. Guy M. Bryan of Galveston and Miss Hally Ballinger Bryan of Washington, D. C., son and daughter of the late Colonel Guy M. Bryan, have found among the books and historical materials belonging to his collection a copy of Nicolas Chautrean's French Grammar, written in Spanish, which was the property of Stephen F. Austin and seems to have been used by him during his imprisonment in Mexico; a copy of Dr. Samuel Johnson's Dictionary (third ed., Dublin, 1768) which belonged successively to Moses Austin, Stephen F. Austin, Emily M. Austin (Mrs. Bryan, and later Mrs. Jas. F. Perry), and Guy M. Bryan; a copy of the original edition of the *Ordinances and Decrees of the Consultation, Provisional Government of Texas and the Convention* (Houston: Niles & Co., 1838); and a number of private letters relating to various aspects of the history of Texas. The dictionary and the letters have been given to the University (for the library and the Austin Papers respectively), and the grammar and the *Ordinances and Decrees* to the Association. This further gift of those who have already given so much to the University is gratefully acknowledged.



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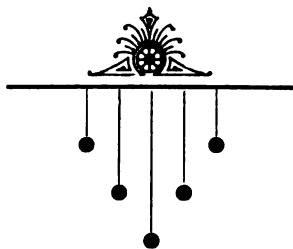
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OF THE

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### ADJUSTMENT OF THE TEXAS BOUNDARY IN 1850.

W. J. SPILLMAN.

After the adoption of the Missouri compromise, there remained to the South only the limits of Florida and Arkansas and the territory extending west from the latter to the Spanish possessions for the expansion of her "peculiar institution." From the northern side of the compromise line stretched an imperial domain to the furthestmost boundary of the United States, dedicated to freedom by that famous bill. The North found an outlet for its restless population in this immense sweep of territory, acquired by the purchase of Louisiana; but the creation of new political centers by this tide threatened to disturb again the equilibrium between the North and the South. The coils of free-soilism seemed at that time to be gradually closing around the area appropriated to the slave-holding States. Even throughout Mexico, which stood in the way of any possible future expansion toward the west, that form of servitude permitted by the Southern States was abolished in 1829. Only in the department of Texas, then being settled by colonists from the South, had this decree been left inoperative.<sup>1</sup>

After the Fredonian revolt (1826-1827), the Mexicans regarded with serious apprehension the settlement of Texas by the Anglo-Americans, a race differing from them in origin, habits, religion, and political training. To frustrate any further attempt to sepa-

<sup>1</sup>Garrison. *Texas*, 173.

rate the department from the Southern republic and annex it to the United States, the Mexican congress passed a law prohibiting the colonization of her border States by citizens of countries adjacent and forbidding the further importation of slaves, a measure evidently intended to exclude settlers from the Anglo-American States.<sup>1</sup> Subsequently Santa Anna abrogated this law and gave conciliatory assurances to deceive and quiet the enraged colonists; but, at the same time, with characteristic craftiness, he was forging, by political intrigue, the fetters of an intolerable despotism. It required no deep penetration to foresee the effect of severe repressive measures on the sturdy, liberty loving colonists, and the revolution which culminated on the field of San Jacinto in the accomplishment of Texan independence.

The States of the South, circumscribed both by the ordinance of 1787 and the Missouri compromise, looked to the acquisition of Texas as a way of relief from the impending constriction with the resulting loss of influence in national legislation. Senator John Bell, of Tennessee, in 1850, affirmed that "the general, though by no means universal, sentiment of the slave States, was in favor of the policy of annexation, as a means of preserving the equilibrium of power between the free and the slave States."<sup>2</sup> Daniel Webster, in his memorable speech of March 7, 1850, said that the profitable cultivation of cotton gave a new desire to promote slavery, to spread it, and to use its labor. The cotton age became a golden age for the South, and the desire for improvement and accumulation which it gratified soon became "an eagerness for other territory—a new area or new areas for the cultivation of the cotton crop"; and new measures were brought forward rapidly, one after another, 'to accomplish the end desired.'<sup>3</sup> Unquestionably, at that time, cotton was found to be more profitable than any other agricultural product, and hence its cultivation confirmed or created a sentiment in favor of slavery; yet there were still vast areas in the Gulf States of fertile, virgin soil, suited for its cultivation. The economic consideration for acquiring "other territory" for its cultivation was cer-

<sup>1</sup>Garrison, *Texas*, 103, 159; Bancroft, *North Mexican States and Texas*, II 114; McMaster, *History of the People of the United States*, V 553.

<sup>2</sup>*Congressional Globe*, 31st Cong., 1st Sess., Appendix, 1103.

<sup>3</sup>*Cong. Globe*, 31st Cong., 1st Sess., 478.



tainly less urgent and intense than the desire for sectional aggrandizement in order to maintain the political power and thereby preserve the rights of the South.<sup>1</sup> Texas possessed interests and ties that bound her to the South. The men who colonized Texas, followed Houston to San Jacinto, filled the offices and shaped the destiny of the young republic, and engrafted in the constitution an article recognizing slavery and permitting the importation of negroes only from the United States,<sup>2</sup> were mostly immigrants from the slave-holding States.<sup>3</sup> Annexation to the United States was a natural sequence to such intimate affinities.

The treaty for the annexation of Texas, negotiated during Tyler's administration by Mr. Calhoun, secretary of state, was signed by the Texan commissioners, but was rejected in the senate of the United States by the vote of Northern senators, who contended that it favored the extension and perpetuation of slavery, and would be accepted by Mexico as cause for a declaration of war. The rejection of the treaty, however, was but a temporary defeat of the measure. The project became the cardinal policy in the next presidential election, controlled the nomination, and elected Mr. Polk to the presidency. The fear of foreign interference in the affairs of Texas,<sup>4</sup> the glorification of the nation's manifest destiny,<sup>5</sup> and the promise offered by annexation of preserving the equilibrium of the sections, succeeded in coalescing opposing political factions and won such increased support, that joint resolutions providing for annexation passed congress, and were signed among the last official acts of Tyler's administration.

Pending this overture to Texas of annexation, the United States was warned through Mr. Donelson, chargé to Texas, that the ministers of France and England had preceded him to the Texan seat of government, bearing a joint note from the embassies of these

<sup>1</sup> McMaster, *History of the People of the United States*, V 547; Wilson, *History of the American People*, IV 105-108.

<sup>2</sup> Garrison, *Texas*, 217.

<sup>3</sup> Rhodes, *History of the United States from the Compromise of 1850*, I 76; Wilson, *History of the American People*, IV 103.

<sup>4</sup> Brown, *History of Texas*, 299; Bancroft, *North Mexican States and Texas*, II 377.

<sup>5</sup> Rhodes, *History of the United States from the Compromise of 1850*, I 87

powers, conveying the consent of Mexico to acknowledge the independence of Texas on condition that she would not annex herself, or become subject to any other country.<sup>1</sup> But the Texan congress, by a unanimous vote, acceded to the proposals for annexation, and rejected those offered by Mexico. The two European powers no doubt wished to see Texas under an English or joint protectorate, without slavery, but "the United States courted Texas as an ardent lover wooes his mistress," and at last won the suit. In accordance with the terms of annexation, the United States was charged with the duty of effecting a settlement of the western boundary of the State.

The eastern boundary of the Republic of Texas conformed to the limits established by the treaty of 1821 between the United States and Mexico, extending northward to the forty-second degree of latitude, a line beyond the northern boundary of Colorado. On the west, as a part of the Mexican Republic, Texas was bounded near the Gulf by the Nueces River and further inland by the Medina,<sup>2</sup> but as a republic, by an act of her congress, passed in 1836, she asserted a claim to all the territory southwestward and westward to the Rio Grande and to a line running from its source northward to the forty-second parallel.

At the time of annexation, as before mentioned, a state of war existed between Texas and Mexico, each asserting sovereignty over territory claimed by the other, though the independence of the former had been acknowledged by the United States and some of the European powers, and her autonomy had been maintained without serious invasion for the period of ten years. But Texas was admitted into the Union with her well-known and declared, though disputed, western boundary. This boundary the government, according to the terms of annexation, attempted to adjust through its envoy to Mexico, who, with other instructions, was empowered to purchase at least the territory of New Mexico east of the Rio Grande, evidently for the purpose of affirming the right of Texas and to acquire it in a way least offensive to Mexico.<sup>3</sup> Having succeeded to the claim set up by the Texan Republic, and having

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., App., 1152.

<sup>2</sup> Garrison, *Texas*, 262

<sup>3</sup> *Cong. Globe*, 31st Cong., 1st Sess., App., 874, 879.

failed to fix the boundary through diplomatic channels, the United States was "*functus officio* as to the power she had reserved" in annexing Texas, and her obligation under the constitution "to protect Texas to the full extent of her asserted boundary, became single and absolute."

The invasion of the disputed territory by armed forces from beyond the Rio Grande precipitated the war with Mexico. In a message invoking the action of Congress to recognize a state of war and to grant means for prosecuting it, President Polk declared that Mexico had invaded our territory, and "shed American blood upon American soil." Authoritative action immediately prevailed in congress over the opposition of the Whigs, led by Clay, Corwin, and Webster, who protested that the war was wantonly started to despoil a weaker nation and to obtain by conquest, under the plea of indemnity, territory for the expansion of Southern interest. The "Spot Resolutions" introduced by Abraham Lincoln, then a member of the house of representatives, requiring the president to locate the spot where American blood had been shed, and to inform the house whether the "citizens" referred to in his message had not been armed soldiers, were but a covert insinuation that a collision had been designedly provoked for the purpose of commencing a war. The earnest and eloquent protest of Senator Corwin against the policy and continuance of the war added a classic to American oratory, but it did not prevent Congress from voting supplies. In 1846, a bill being before Congress on the recommendation of the president for an appropriation of three millions of dollars to conclude a treaty of peace, Wilmot of Pennsylvania threatened the further expansion of slavery by introducing as an amendment to the bill his famous proviso. The amended bill passed the house, but the proviso was stricken out in the senate, and the original bill passed both branches of congress.

The treaty of peace, signed at Guadalupe Hidalgo, making the Rio Grande from near El Paso to the Gulf the boundary, and ceding New Mexico and California to the United States, again brought to the front the question involved in the Wilmot proviso. Its agitation excited sectional apprehension and feeling so intensely, that nearly every subject of congressional action was drawn into the "great and dangerous maelstrom of African slavery." The annexation of Texas had restored the equilibrium between the two

sections of the Union, but the new acquisitions again opened the contest for sectional supremacy in the national legislature. California had received a sudden and rapid immigration, attracted by the discovery of gold, which forced the consideration of her admission into the Union, while the demands of Utah and New Mexico for territorial governments revived the exciting question of the right to introduce slavery into the public domain of the United States.

The first session of the Thirty-first Congress faced these issues and addressed itself to the difficult task of restoring quiet to the disturbed country by means of pacific measures. This congress, commencing its first session December 1, 1849, and closing it September 30, 1850, became memorable in the political history of the government. It was especially noted for its array of talent, the melancholy incidents that attended it, the important issues that demanded settlement, the fervency of the debates, and the unusual length of the session.

In the deliberations of this session the great American triumvirate participated for the last time. The strenuous, uncompromising defender of the rights reserved by the constitution to the States, Mr. Calhoun, in his last argument, delivered March 4, 1850, said: "Looking back to the long course of *forty* years' service here, I have the consolation to believe, that I have never done one act which would weaken it [the Union]—that I have done full justice to all sections. And if I have ever been exposed to the imputation of a contrary motive, it is because I have been willing to defend my section from unconstitutional encroachments."<sup>1</sup> Enfeebled by long, wasting disease, he made his last defense of the South, and less than one month afterwards, his death was announced to the senate. Responding to the resolutions introduced by Calhoun's colleague, from South Carolina, Clay and Webster, with whom he had so often crossed swords in political contest, paid eloquent tributes to the purity of his exalted patriotism, his commanding talents, and the eminent virtues of his "unimpeached honor and character." In July, the illustrious expounder of the constitution, Daniel Webster, resigned his seat to become secretary of state under Fillmore, never to return to the arena

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., 484; Von Holst, *Constitutional History*

of his brilliant triumphs. Clay, whose name had been associated with so many pacific measures, remained to champion his last compromise, but that session virtually closed his long, distinguished career. There were other eminent statesmen in both chambers, many of whom lived to see the apprehended dissolution of the Union become an accomplished fact and to participate in the legislation of the Reconstruction period.

As before observed, upon this congress devolved the duty of considering measures affecting the status of the new acquisition, the most serious of which was the adjustment of the boundary between Texas and New Mexico. As the Democrats had a majority of only eight in the senate, while thirteen Free Soliers held the balance of power in the house between 112 Democrats and 105 Whigs,<sup>1</sup> it was obvious that a fierce and protracted struggle would ensue in the effort to secure a fair scheme of pacification.

To settle the disputed boundary, Mr. Benton introduced a bill early in the session to retire the western limit of Texas to the parallel of 102 degrees of west longitude, and the northern boundary "from the frozen region of 42 to the genial clime of 34," two and one-half degrees south of the Missouri compromise line, ceding to the United State all the territory exterior to these limits. The senator said that the territory which Texas claimed at the time of her admission into the Union was too large. "She covers sixteen degrees of latitude, and fourteen degrees of longitude. She extends from 26 to 42 degrees of north latitude, and from 96 to 110 west longitude; that is to say, from four degree south of New Orleans to near four degrees north of St. Louis, and from the longitude of Western Missouri to the summit of the Rocky Mountains. Her southeast corner is in the mouth of the Rio Grande—region of perpetual flowers; her northwest corner is near the South Pass in the Rocky Mountains—region of eternal snow."<sup>2</sup> By the line Benton proposed, the boundary commenced about three hundred miles, on a straight line, below El Paso, near the mouth of the Pecos, and extended northward to the 34th degree of north latitude, which he said conformed to the civil and geographical divisions of both countries.<sup>3</sup>

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., 1.

<sup>2</sup> *Cong. Globe*, 31st Cong., 1st Sess., 165.

<sup>3</sup> *Ibid.*, 1380.

On the same day, Senator Foote, of Mississippi, who entertained a bitter resentment against the Missouri senator,<sup>1</sup> introduced an omnibus bill providing territorial governments for the newly acquired possessions, and enabling the citizens of Texas east of the Brazos river to be organized into a state by the consent of Texas, to be designated as the State of Jacinto. The bill made the Rio Grande the boundary between New Mexico and Texas. In explaining his bill Foote uttered a scathing denunciation of Benton for unsettling the slavery question in attempting to surrender to free soilism conceded slave territory, applying to him the language used by Cicero in delineating the character of the degenerate Roman senator.<sup>2</sup> The 53rd section of the bill embraced a provision that the constitution and the laws of the United States were to be extended over the territories and to be in full force, intending that the constitution should follow the flag and prevent the recognition of the *lex loci*.

To quiet all agitation arising from the institution of slavery, the great pacificator, Henry Clay, introduced a series of resolutions, January 29, one of which fixed the western boundary of Texas along the Rio Grande northward to the southern line of New Mexico, conceded to be at or near El Paso, thence eastwardly to the line as established between the United States and Spain—excluding all the territory of New Mexico east of the river from the jurisdiction of the State. The senator denied the validity of the Texan title to any portion of New Mexico, but added that certain facts made her claim plausible, and for the sake of general quiet and harmony he was willing to tender a reasonable sum for its relinquishment.<sup>3</sup> In reply, Senator Rusk maintained that the title of Texas to all of New Mexico east of the Rio Grande was incontrovertible, and protested against any attempt to dismember Texas “to make a peace offering to a spirit of encroachment on the constitutional rights of one-half of this Union.”<sup>4</sup>

Another compromise was embraced in the resolutions offered.

<sup>1</sup>Roosevelt, *Thomas H. Benton*, 322; Von Holst, *Constitutional History of the United States*, II 476.

<sup>2</sup>*Cong. Globe*, 31st Cong., 1st Sess., 163.

<sup>3</sup>*Ibid.*, 245; Von Holst, *Constitutional History of the United States*, II 484, *et seq.*

<sup>4</sup>*Ibid.*, 247.

February 28, by Senator Bell, proposing, with the assent of Texas, to restrict her limits within the territory lying east of the Trinity and south of Red River, to provide for a new state on the west, and extending north to the 34th degree of north latitude, and to accept a cession from the State of all the unappropriated domain west of the Colorado, and extending north to the 42d parallel. Provision was made for the prospective admission of another state to be carved out of the unappropriated domain west of the Colorado and south of the 34th parallel, which would embrace a part of the present limits of New Mexico, while the territory north of the line, containing all of the Panhandle, was to be incorporated with the territory of New Mexico.<sup>1</sup> The bill surrendered more than two and one-half degrees of slave territory for which the author claimed compensation was made by including an equivalent of free territory in the limits of the prospective state west of the Colorado. The senator, whose bill was regarded as a modified form of the executive policy,<sup>2</sup> sought to recognize by its terms the conditions and guarantees of the joint resolutions of annexation by the creation of two new states, one to offset the admission of California into the Union and the other of New Mexico.

Resolutions of a similar nature to the foregoing were introduced in the house of representatives, but no particular measure seemed to warrant exclusive consideration. It became evident that the discussion of abstract resolutions was delaying a speedy, deliberate, and final settlement of the distracting questions, and to avert further agitation, the senate, April 19, raised by ballot a committee of thirteen to mature a scheme of compromise for the adjustment of the pending questions growing out of the subject of slavery. The crisis certainly had become intense and exigent to justify an expedient so unusual in so conservative a body. The chairman of the committee, Mr. Clay, on May 18, presented its report and the bill which it had framed, known as the Compromise bill. This was a composite measure, providing for the admission of California without slavery, the establishment of territorial governments in Utah and New Mexico, without the Wilmot proviso, and the settlement of the disputed boundary between New Mexico and

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., 436, *et seq.*

<sup>2</sup> Stephens, *Constitutional View of the War Between the States*, II 205.

Texas. "This garment of compromise, thus quilted of various fabrics with artistic skill," was pieced out with two other bills concerning slavery in the District of Columbia and the recovery of fugitive slaves.

The first subject to command the attention of the committee had been the resolutions of Senator Bell providing for additional states within the limits of Texas. It decided that in the execution of the compact with Texas, the initiative in constituting a new state should not originate in congress, but should be taken by the people themselves within the territorial limits of the proposed new state with the consent of Texas, and the majority declined to recommend any new state or states to be carved out of Texan territory. The boundary proposed for Texas in the bill recognized the Rio Grande to a point twenty miles in a straight line above El Paso and thence eastwardly to a point where the 100th degree of west longitude crosses Red River, excluding from the present limits of Texas all the territory north of a line running from near El Paso to a point on the western line of Childress county. Mr. Clay stated that the beginning of the line that distance above, instead of at El Paso, on the true line of New Mexico, was due to the desire of Texas to bring within her limits some settlements above El Paso, and also a desire on their part to be attached to the State.<sup>1</sup> He thought the true boundary of New Mexico east of the river would be a line beginning at El Paso, thence running to the head of Red River, and from there northward to the 42d parallel of north latitude.<sup>2</sup> In Clay's opinion, the divisional line of the compromise bill would detach a small triangle from the limits of New Mexico, but the loss would be compensated by the area added to the territory north of the line.

The boundary of New Mexico, as well as the boundaries of other territory taken from Mexico, seemed to be an uncertain quantity, with such values as political considerations assigned. Senator Benton contended that the proposed line would "cut New Mexico in two just below the hips," and alienate 70,000 square miles of her territory. To avoid dismembering New Mexico, he proposed to commence the line at a point on the Rio Grande, where it is crossed by the 102d meridian west from Greenwich, thence running north

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., App., 1262.

<sup>2</sup> *Ibid.*, 1262.



along that meridian to the 34th parallel, and thence eastwardly to the intersection of the 100th meridian with Red River,<sup>1</sup> which would have alienated a vast area of the present domain of Texas. It is true that this country west of the Pecos, embraced in Benton's amendment, was not unknown to the early Spanish explorers. Coronado traversed the northern part, and in the country of the Teguas, in the valley of the Rio Grande, made his winter quarters in 1540.<sup>2</sup> In 1581, Father Rodriguez, accompanied by two other Franciscans and a few soldiers, went down the Conchos, and up the Rio Grande, naming the country San Felipe—"perhaps San Felipe de Nuevo Mexico," says Bancroft. The following year, Espejo went by the same route, and after an extended exploration returned down the Pecos to the Rio Grande, calling the country Nueva Andalucia, but the name soon changed to New Mexico.<sup>3</sup> In 1589, Juan de Oñate, as governor and captain-general, took possession of the region around El Paso. Benton claimed to have based his contention on ancient authorities.

Senator Underwood found according to Humboldt's work and map that the line of New Mexico crossed the *Norte* at the 32d parallel and then ran almost north to the 38th, including a very small margin of the east side of the river, so by this delineation the committee's line would take no part of the territory of New Mexico.<sup>4</sup> Senator Bradbury quoted Wislizenus, who says: "New Mexico has generally been applied only to the settled country within the 32nd and 38th degrees of north latitude, and from about 104 to 108 degrees of longitude west of Greenwich." No serious efforts, however, were made, except by Benton, to conform the line to any supposed boundary assigned to New Mexico.

An amendment to restore the limits along the line claimed by Texas opened up the question of the validity of the State's title, and made the disputed boundary the leading issue of the compromise. The Texan delegation and their supporters believed that

<sup>1</sup>*Cong. Globe*, 31st Cong., 1st Sess., 1380.

<sup>2</sup>Lowery, *Spanish Settlements within the Present Limits of the United States*, 314, note.

<sup>3</sup>Bancroft, *North American States and Texas*, I 127, *et seq.*

<sup>4</sup>*Cong. Globe*, 31st Cong., 1st Sess., App., 1265.

the treaty signed by Santa Anna and Filisola, after the defeat of the Mexican army at San Jacinto, was binding on Mexico, especially as she had participated in its benefits; that the act of the Texas congress, in 1836, defining the boundary of the Republic, was a formal notice to the powers of her claims; that the joint resolutions of annexation recognized her right to the territory lying north of  $36^{\circ} 30'$ , and authorized the United States to adjust any boundary dispute that might arise with other governments; and that this provision for adjustment constituted the United States a trustee to act in behalf of Texas, which precluded the government from assuming at any time the place of adversary litigant and setting up title in itself to the territory claimed by Texas. They asserted that President Polk conceded the claim in announcing the invasion of American territory by armed forces; that congress affirmed it in the declaration that war existed by act of Mexico in sending her troops across the Rio Grande; and that the instructions of the secretary of war to the commander at Santa Fé admitted the right of possession to belong to Texas. Senator Hunter said, "Our ministers to Mexico were instructed to maintain this claim. Our President, Mr. Polk, in reply to a letter from the Governor of Texas, acknowledged the right of Texas to the country, and excused his military possession of Santa Fé on account of the necessities of war. A map was made a part of the treaty of peace with Mexico, which marked the Rio Grande as the western limit of Texas. In every way in which it could be done, the title of Texas had been recognized by our Government."

On the other hand, the opposition to the claim of Texas was no less earnest. It was argued that the boundary of New Mexico was well defined, and no part was fairly included within the limits of Texas, or had ever been subject to her sovereignty by conquest or otherwise; that the treaty made in 1836 was invalid, because it was made with a captive, under duress, and had never been ratified by Mexico; that Texas had never extended civil or military jurisdiction over the disputed territory; that the resolution of annexation only imposed an obligation on the United States to secure the area limited by the Nueces on the west and the Red river on the north; that New Mexico had never revolted and allied herself to Texas; and that the United States had acquired title and possession to the territory by purchase and conquest. Such, in brief, were some of the arguments advanced during the discussion on the

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compromise bill, and the amendment recognizing the boundary claimed by Texas.

Any question relating to slavery in the territories involved the area Texas was asked to cede,<sup>1</sup> for its status, as free or slave, would be determined by the bill itself or by territorial legislation. The first amendment to the bill, offered by Senator Davis, of Mississippi, was in effect to prevent the territorial legislature from legislating against the right of property growing out of the institution of slavery. He said it was introduced to test the sense of the senate, whether the right of property as it existed in the slave holding states of the Union should receive the protection given to any other property in the territories of the United States.<sup>2</sup> Senator Seward immediately proposed to strike out the amendment and insert the Wilmot proviso. The amendments offered by these distinguished ultraists, entertaining antagonistic policies, early forecast the character of the opposition to the compromise measures.

The question of the extension or restriction of slavery provoked the bitterest discussion, and delayed the vote on the proposed measures. The Free Soilers maintained that the right delegated to congress to organize governments for the territories included the power of legislation for the inhibition of slavery; that equal rights could only be claimed by the citizens of the States; that the institution existed only by virtue of local law; and that it "required for its validity and legality previous express legislative enactment."

On the other hand, the opinions of the South as to our system of government and the equal rights of the states to the territories, were clearly expressed in Mr. Calhoun's resolutions, introduced in the senate in 1847,<sup>3</sup> and in the very earnest and cogent argument of Chief Justice Sharkey, of Mississippi, as quoted by Senator Foote.<sup>4</sup>

Ancillary to the theory of the restrictionists was the contention that as slavery was prohibited by the laws of Mexico throughout her domain, including the portion Texas claimed, the *lex loci*, as

<sup>1</sup> Von Holst, *Constitutional History of the United States*, II 305

<sup>2</sup> *Cong. Globe*, 31st Cong., 1st Sess., 1003.

<sup>3</sup> Stephens, *Constitutional View of the War Between the States*, II 197.

<sup>4</sup> *Cong. Globe*, 31st Cong., 1st Sess., 532-533.

a municipal regulation, still prevailed and interdicted slavery, without the intervention of congress.<sup>1</sup> Senator Baldwin, of Connecticut, for the purpose of defining especially the condition of the territory claimed by Texas, offered an amendment declaring that this law of Mexico should remain in force in the acquired territory until altered or repealed by congress. This line of attack had been met as early as 1848, by Mr. Calhoun, who said, "To extend them [the humane provisions of the laws of nations] further and give them the force of excluding emigrants from the United States, because their property or religion are such as are prohibited from being introduced by the laws of Mexico, would not only exclude a great majority of the people of the United States from emigrating into the acquired territory, but would be to give a higher authority to the extinct authority of Mexico over the territory than to our actual authority over it. I say the great majority, for the laws of Mexico not only prohibit the introduction of slaves, but of many other descriptions of property, and also the Protestant religion, which Congress itself can not prohibit. To such absurdity would the supposition lead."<sup>2</sup>

It was maintained that the constitution followed the flag into the ceded territories, not as "a mere cripple," but *proprio vigore* to secure and protect every right guaranteed to the citizens.<sup>3</sup> International usage did not warrant the conclusion that the *lex loci*, opposed to provisions of the constitution assertive of inalienable rights of liberty, property, and the religion which they professed, should prevail until abrogated by congress. The page of history is yet fresh which records the renewal of the question of the supreme authority of the constitution over the islands acquired by the Spanish American war. History repeats itself in the contention that the constitution follows the flag only so far as congress enacts that it shall.

Many senators and representatives who opposed the extension of slave territory declined to apply the principle of the Wilmot proviso to the compromise bill, as such an amendment would be considered a taunt and a designed indignity, and unnecessarily inten-

<sup>1</sup>Rhodes, *History of the United States from the Compromise of 1850*, I 94.

<sup>2</sup>*Cong. Globe*, 31st Cong., 1st Sess., 425; *ibid.*, App., 993.

<sup>3</sup>Von Holst, *Constitutional History of the United States*, II 444, *et seq.*

sify the resentment existing between the sections. With Mr. Webster, they believed that the soil, climate and physical conditions had already consecrated the new domain to freedom by an irrevocable law, and that it was not necessary "to reaffirm an ordinance of nature, nor to reenact the will of God."

A speedy and satisfactory adjustment of the boundary dispute was urged to avoid a threatened conflict between the troops of Texas and the United States. The governor of Texas had dispatched a commissioner with full powers to extend civil jurisdiction over four unorganized counties within the disputed district; but the United States officer, serving at Santa Fé as military governor of New Mexico, interposed adversely by an effort to establish a separate government for the territory, which would extend over the part claimed by Texas. Governor Bell promptly addressed a letter to the president, inquiring if the military governor, Colonel Monroe, had transcended his instructions, and if his proclamation for the assembling of a convention had the president's approval.

Fillmore made the letter the subject of a special message to congress, in which he adverted to the convoking of the legislature of Texas by the governor for the purpose of establishing by force the laws and the jurisdiction of the State over the unorganized counties, and charged that such proceedings were of so grave a character as to threaten a dangerous crisis, and of so great importance as to demand a speedy and amicable adjustment. He maintained the proposition that the constitution, as well as the acts of 1795 and 1807, concerning the power and duty of the president where the laws were obstructed, would compel him to interpose the strength of the United States to resist any force that Texas might send to establish her authority over the territory, as long as the controversy remained undetermined. He opposed a joint commission to formulate an acceptable adjustment, and urged congress to establish a divisional line with the assent of Texas, and allow a fair and liberal indemnity for the surrender of the State's claim.<sup>1</sup> The friends of the administration considered the message mild, dignified, and conciliatory, while Alexander Stephens and others declared the doctrine announced to be a menace and a dangerous assumption of power, revolutionary in its tendencies,

<sup>1</sup>*Cong. Globe*, 31st Cong., 1st Sess., 1525, *et seq.*

and not warranted by a true construction of the acts cited or by the constitution.<sup>1</sup>

The debate indicated that serious apprehensions were entertained that a conflict on the Rio Grande, fateful in results to the government, was imminent. In the speech of Mr. Stephens, just cited, he said, "The first Federal gun that shall be fired against the people of Texas without the authority of law will be a signal for the freemen from the Delaware to the Rio Grande to rally to the rescue." Henry Clay, who was never considered an alarmist, said, "If a war breaks out between her [Texas] and the troops of the United States on the upper Rio Grande, there are ardent, enthusiastic spirits of Arkansas, Mississippi, Louisiana, and Alabama, that will flock to the standard of Texas, contending, as they believe they will be contending, for slave territory. And they will be drawn on, State by State, in all human probability, from the banks of the Rio Grande to the banks of that river which flows by the tomb of Washington."<sup>2</sup> Winthrop, who succeeded Webster in the senate, preferred to have the boundary run by gold rather than by steel; by money than by blood.<sup>3</sup> The menacing doctrine of the president's message and the reputation of the Texans for vigorous and determined action in support of their rights warned the more conservative element in Congress that it would be better "to purchase a peace" than risk the result of further agitation and angry controversy.

The opposition to the proposed adjustment, to the boundary which it defined, and the indemnity offered Texas for the relinquishment of her claim, finally defeated the entire compromise bill, and by an unexpected procedure. Senator Bradbury, of Maine, offered an amendment to strike out all relating to the plan of settlement with Texas, and insert in lieu a provision for the appointment of three commissioners to act with a like number to be appointed by Texas to define the true and legitimate boundary of the State, and agree on considerations and conditions for its establishment, but to be binding only when approved by both governments.<sup>4</sup> To guard the interest of Texas, Senator Dawson pre-

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., App., 1080, *et seq.*

<sup>2</sup> *Ibid.*, 1412.

<sup>3</sup> *Ibid.*, 1560.

<sup>4</sup> *Ibid.*, 1457.

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sented an amendment to the effect that no territorial government authorized by the act, nor any state established for New Mexico, should become effective east of the Rio Grande, until the boundary line should be agreed to by Texas and the United States,<sup>1</sup> which was adopted by a vote of 30 to 28, three Southern Senators, Benton, Underwood, and Pearce, voting nay. Then to exclude the implication of title and the jurisdiction of Texas, guarded by Dawson's amendment, Pearce moved to strike from the compromise bill all that related to New Mexico and Texas, which was adopted by a vote of 33 to 22, the extremists of both sections voting yea to kill the bill.<sup>2</sup> This was the entering wedge to disrupt the compromise as a composite measure and cause its defeat.

Senator Pearce thought that the disputed boundary of Texas was the final difficulty of the compromise bill, and would be the principal cause of its defeat. He, therefore, presented a bill, unconnected with any other subject, for the establishment of the northern and western boundary of the State, and the relinquishment of the territory claimed by her, exterior to the defined limits. It provided that the boundary on the north should begin where the meridian of 100° west is intersected by the parallel of 36° 30' north latitude, and run thence west to the 103d meridian; thence south to the 32d degree of north latitude; thence on that parallel to the Rio Bravo; and thence down the channel of that river to the Gulf of Mexico. In consideration of the reduction of boundaries, the cession of territory, and the relinquishment of claim, Texas was to receive ten millions of dollars.<sup>3</sup>

The limits prescribed in this bill more exactly than any other proposed boundary accorded with what Senator Ewing supposed to be the two most important considerations involved in the adjustment of the boundary question. The first was that justice should be done between Texas and the United States, which was subserved by making a liberal allowance to Texas for the territory ceded, and avoiding to some extent the dismemberment of New Mexico, by preserving her domain so far as the territorial author-

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., App., 1458-1463.

<sup>2</sup> *Ibid.*, 1473, 1479, 1487.

<sup>3</sup> *Cong. Globe*, 31st Cong., 1st Sess., 1555.

ity had practically been extended. The second was that no injury should arise to the political interests of the South by an unwarranted cession of territory south of  $36^{\circ} 30'$ , which had already been conceded to the South and to Southern institutions by the joint resolutions of annexation, framed in the intent of the Missouri compromise. The author of the bill said that he placed the western boundary one degree farther west than Benton's line to conciliate the senators from Texas.<sup>1</sup>

After the adoption of some amendments, none, however, changing the boundary, the bill passed the Senate, August 9, by a vote of 30 to 20. The Pearce bill was more liberal in its allotment of territory to Texas than the omnibus bill, as it granted 16,200 more square miles, and it conceded to the State nearly 90,000 square miles more than the Benton bill.<sup>2</sup>

Senator Houston said that a higher object than pecuniary consideration, a higher interest than sectional feeling animated him in supporting the bill. He would vote for it in order to conciliate and reconcile the great interests of the country. Senator Rusk, whom Webster considered as first among the young statesmen of the South,<sup>3</sup> said that if the bill passed, receiving his vote, it would result in the forfeiture of his seat in the senate, but he would vote for it cheerfully, looking "beyond it to a peace and quiet; to a time when affection and good feeling will exist between Texas and the balance of the United States and this Government." Senator Hale, of New Hampshire, said that he accepted in part the senator's declaration as one of the things he believed on faith, discarding reason altogether. It was inexplicable that he should become unpopular with his constituents, unless it might be that the people of Texas might say, the United States is such a good cow, and so easily milked, that he ought not to have been content with ten million; he ought to have gone up to fifteen or twenty. Senator Benton paid tribute to the courage, fidelity, and skill shown by the Texas senators in the interest of their State. The representatives, Howard and Kaufman, both vigilant in guarding and defending the interest of Texas through the long session, also supported the

<sup>1</sup> *Cong. Globe*, 31st Cong., 1st Sess., 1541.

<sup>2</sup> *Cong. Globe*, 31st Cong., 1st Sess., App., 1559, 1560, 1566.

<sup>3</sup> Blaine, *Twenty Years in Congress*, I 90.



bill. The former made a firm and successful stand against the ruling of the speaker, for a reconsideration of the vote refusing to engross the Texas bill for a third reading, which saved the bill in the house.

The bill passed the house September 6, with an amendment of seventeen sections for erecting a territorial government for New Mexico and providing for its admission into the Union, with or without slavery as its constitution at the time might prescribe, which the senate accepted. The vote in the house was 108 ayes and 97 noes, the North by a majority of 11 voting against the bill, and the South by a majority of 22 sustaining it.<sup>1</sup>

The votes in both chambers on this bill, as well as on the omnibus bill, disclosed an extraordinary juncture of extremes. The ultra pro-slavery members, Barnwell, Butler, Soulé, Davis of Mississippi, and others of their political creed, who contended for the protection of slavery in the territories, and against the alienation of any of the domain claimed by Texas to become free soil, voted against the bill with such extremists of the North as Seward, Hale, Giddings, and Thaddeus Stevens, who wished to fasten the Wilmot proviso upon every acre of the national domain, and opposed purchasing territory which they claimed undoubtedly belonged to the United States. Thus it was that these uncompromising factionists, acting on principles so antagonistic, conjoined without a pre-arranged concert to defeat both bills. The conservative representatives of both sections succeeded in passing the Pearce bill as a pacific measure, but the rancor engendered in that long and excited session grew more furious as the years passed, and found its most fearful expression in the Civil War.

Texas, the last of the slave states admitted into the Union, with privileges and conditions variant from any other, which her previous independent autonomy required, had her boundary at last adjusted and precisely defined by consenting to the terms offered in the bill, but New Mexico, after a territorial pupilage of more than half a century, is still seeking admission into the sisterhood of States.

<sup>1</sup>Von Holst, *Constitutional History of the United States*, II 556.

SOME MATERIALS FOR SOUTHWESTERN HISTORY IN  
THE ARCHIVO GENERAL DE MEXICO, II.<sup>1</sup>

HERBERT EUGENE BOLTON.

In the first article of this series I described some manuscript materials bearing on the Southwest encountered in an examination of thirty volumes<sup>2</sup> of Sección de Historia of the Archivo General de Mexico. During the past summer I continued the examination, incidentally to another task, through the remainder of the section, with the exception of two groups, one entitled *Viages*, comprising volumes 63-6,<sup>3</sup> inclusive, and the other entitled *Tropa*, made up of some twenty volumes. A general examination was also made of the sections relating to Misiones and Provincias Internas, and a description of the materials in the latter section was begun. The attention given to these two sections was sufficient to ascertain the facts that the one on Provincias Internas is very rich in Southwestern history material, while that on Misiones contains less than one would naturally expect to find in it.

My search this time was primarily for materials on Texas rather than on the Southwest in general, and only documents of this class will be mentioned here. The examination was detailed enough only to note the documents dealing specifically and largely with Texas. Therefore it is not improbable that there is in the volumes examined a considerable amount of material on the subject not here noted, included in papers of a general nature, those, for example, relating to all the Provincias Internas, or to a whole group of missions. The materials that I found are indicated here with the hope that the information may facilitate the work of other students in finding desired sources in this vast collection—a task enhanced by the marked lack of a systematic and intelligent arrangement of the manuscripts it contains.

<sup>1</sup>See THE QUARTERLY for October, 1902.

<sup>2</sup>Volumes 33 to 62, inclusive. Volume 100 was referred to in a general way, but it will be described more in detail here.

<sup>3</sup>These were examined carefully enough only to discover that they contain sufficient Southwestern material to warrant further attention.

In Sección de Historia fifteen of the additional volumes examined contain extensive materials on Texas, most of these fifteen being devoted largely or entirely to this subject.<sup>1</sup> Sección de Provincias Internas contains some two hundred and forty volumes in all, and a very cursory examination shows that about one-tenth of them are devoted largely to Texas.<sup>2</sup> In Sección de Misiones only one volume, No. 21, seems to contain extensive material on this subject.

Before proceeding with a detailed description of these Texas materials, a comment on two points of more general interest may be in order. The questions have arisen, Where are the originals of such historical documents as are found in the Archivo General only in the form of copies, and, What proportion of the materials preserved there are of this character? To each of these queries a partial answer may be ventured.

What is probably the richest portion of the historical material in the Archivo General, the *Colección de Memorias de Nueva España*, forming the nucleus of the history section, is entirely made up of copies. The circumstances under which these documents were compiled were such as to establish a probability that the originals, if they exist anywhere, are in Mexico, and have not, as has been suggested (by way of inquiry rather than as the expression of an opinion), been sent to Spain. In 1780 the Spanish government planned to have written in Madrid a general history of its colonial possessions, and, pursuant to that plan, began making efforts to collect in Mexico materials for the purpose. In 1783 the manuscripts of Veytia were sent to Spain.<sup>3</sup> The next year came an order for more documents, and in 1788 one box of papers was sent, but it contained only a small number of important papers. Others were not sent for different reasons—many, because their possessors, private individuals, would not part with them, while to make copies, without

<sup>1</sup>They are Nos. 72, 82, 84, 93, 100, 153, 161, 162, 287, 298, 299, 301, 302, 320, and 325. Five volumes of this section formerly described also deal largely with Texas. These are Nos. 27, 28, 43, 51, and 100. See THE QUARTERLY, VI 104-109; *The Nation*, May 30, 1901.

<sup>2</sup>The twenty-three volumes of this section in which I encountered Texas material are Nos. 20, 24, 25, 29, 32, 73, 79, 99, 100, 135, 136, 137, 159, 163, 170, 175, 177, 181, 182, 183, 188, 200, 201.

<sup>3</sup>*The Nation*, May 30, 1901, page 430.

special orders to do so, was too expensive; others, as in the case of the larger portion of the Boturini collection, because they needed classification before being sent. In 1790 order was given that a large number of documents, some specified by title, the rest designated by a general provision,<sup>1</sup> should be copied in Mexico, and a set of the compilation be sent to Spain. In obedience to this order the thirty-two volumes known as *Colección de Memorias de Nueva España* were compiled. A set was sent to Spain in 1792; another was retained in Mexico and is now in the Archivo General.

Plainly, there would have been no occasion to have this compilation made in Mexico if the originals had existed in Spain in 1790. And that they have since that date been sent there on any large scale seems improbable. Many of the documents, being private possessions, could not easily be secured by the government. The disturbed conditions, first in Spain and then in Mexico, subsequent to 1792 were, to say the least, unfavorable to the collection of materials for the literary work that had been planned. No record seems to be known of any important shipment of such papers. And there is evidence that as late as 1805 no considerable portion of the important materials on a large part of Mexican history were in Spain, for when, in that year, the government wished to investigate the history of Texas and Louisiana, and incidentally of all the Provincias Internas, as a means of securing light on the question of the Texas-Louisiana boundary, the inquiry was made in the New World and not in the Old, avowedly because the necessary materials were not to be had in Spain.<sup>2</sup> Finally, it is certain that some of the originals of this portion of Sección de Historia are in the Archivo General itself, for they have been found there. As examples of some that I, personally, while working in only a restricted field, have encountered, I may mention the *Derrotero* of Domingo Ramón, one of the documents copied in *Memorias*, volume 27. The original of this, signed by Ramón himself, is in volume 181 of the Sección de Provincias Internas. Bound with this is the original of Espinosa's *Diario* of the same expedition, and a number of letters signed by the hand of St. Denis. In another volume of this section are contained

<sup>1</sup>Royal order of Feb. 21, 1790. Reales Cédulas y Órdenes. Archivo General. This order explains why a larger number of documents were not sent to Spain in 1788.

<sup>2</sup>See below, page 202, a paragraph on the Talamantes Papers.

the originals of a part, at least, of Demezières's well-known *Cartas*, which are copied in *Memorias*, volume 28. Though it would be vain to guess where any large portion of the originals of the *Memorias* are, it may safely be said that very probably numbers of them are to be found in the various branches of the Archivo General, while many others are scattered about the Republic in private and public collections.

As bearing upon the second question, I may say that of the Texas materials thus far examined, outside of *Memorias*, those in volumes 84, 100, 153, 161, 162, 287, and 320 of Sección de Historia are mainly original, while this is true of parts of 72 and 93. And the Texas material in Sección de Provincias Internas is more largely original than that in Historia. This is the character of the major portion of the volumes of this section that I have examined in detail.

A brief description will now be given of the principal materials on Texas found in the fifteen volumes of Sección de Historia. Further consideration of Sección de Provincias Internas will be reserved for another paper. Full titles of individual documents and other data that might be of interest for purposes of reference are given in the list which constitutes the second part of this paper.<sup>1</sup>

It is difficult to make a comprehensive and helpful classification of the materials these volumes contain, either on the basis of subject-matter or of chronology; hence in the main it will be necessary to describe them volume by volume. A rough grouping, however, may be made as follows: materials on San Antonio de Béjar or on Texas as a whole, in volumes 82, 84, 93, 153, 287; on Pilar de Bucareli, in 93 and 100; on San Saba, in 84; on invasions of Texas (1809-1819), in 161 and 162; on the Texas-Louisiana boundary, in 298, 299, 301, 302, 325; and on Espíritu Santo or Goliad (1821-1835), in 320.

In volume 72 two documents relate to Texas. The first<sup>2</sup> is an extract from the writings of Fray Antonio Pichardo, of the oratorio of the convent of San Felipe Neri, Mexico, treating of the limits of Texas and Louisiana. The other<sup>3</sup> is an interesting his-

<sup>1</sup>See page 204.

<sup>2</sup>[No. 18].

<sup>3</sup>[No. 19].

torical summary of Texas affairs from the administration of Casa-fuerte to 1760, written by Don Domingo Valcarcel.

The greater portion of volumes 82, 84, 93, 100, 153, and 287 deal with affairs of Texas as a whole or with those of San Antonio de Béjar. Owing to the importance of San Antonio, for the earlier dates documents relating primarily to this place often touch the interests of the whole province. The materials in these volumes cover a wide range of subjects and dates. Many of the documents are important, while others are apparently of little value.

With a slight exception volume 82, entitled *Causa formada al Gobernador de Texas*, etc., relates entirely to Texas during the period 1790-1793. The documents contained in it can be put into two groups. One of these, comprising six papers (Nos. 1, 3, 4, 6, 8, and 12), deals with affairs of the province as a whole. Five of them relate to the appointment of, charges against, inquiry into the conduct of, removal of, and restitution of governor Dn. Manuel Muñoz. The sixth relates to assessing tithes on the province. The other group (Nos. 2, 5, 7, 9, 10, and 11) relates to local and personal matters at San Fernando. They are mainly complaints against the *cura*, Father Moreno. The documents in volume 82 were all copied in the *Secretaría* in Mexico, and most of the copies are signed by Bonilla. The one Texas document in volume 153 bears on the same subject. These papers are supplemented also by volume 100 which covers the same period.

Eight of the twelve documents in volume 84 deal with Texas. They occupy some three hundred and twenty folios, cover a wide variety of subjects, and range in date from 1730 to 1774. All except the two earliest are mainly original. Numbers 2 and 4 of this volume, dated in 1730, relate to the journey of the Canary Island colonists from Cuatitlan to Béjar.<sup>1</sup> Number 7 is made up of materials, almost entirely original, relative to the establishment of missions in the neighborhood of the *presidio* of San Saba. Much of the correspondence is directed from Béjar, Nachitoches. Querétaro, and Mexico to Phelipe de Rabago y Terán, captain of the San Saba *presidio*. The dates fall mainly within the years 1760-1763. Among the papers are to be found detailed statements

<sup>1</sup>These papers have been used. See THE QUARTERLY, II 217-226. They are supplemented by materials in Provincias Internas, volume 32.

of the condition of the San Saba *presidio* in 1762.<sup>1</sup> Number 8, bearing the date of 1768, deals with the flight of certain Indians from Misión del Rosario. Number 9 contains the request made in 1770 by Barón de Ripperdá and others of the viceroy for an increase of the Texas garrisons for protection against the Indians. Number 10 contains the petition of the former inhabitants of the deserted *presidio* of Adaes to be allowed to found a settlement at Ais. This document is the original of No. 2 in Volume 51. Number 11 is an *expediente* made up of Spanish, French, and English papers relative to the English schooner, "Britain," which became stranded in 1770 near Bahía del Espíritu Santo, where its equipment was confiscated by the Spanish officials.

Volume 93 contains twelve documents relating to Texas, comprising nearly the whole volume. Numbers 1, 2, and 4 seem to be largely duplicates of materials in volume 51, and number 15 supplements that volume. Number 5 supplements the Louisiana-Texas boundary material in volume 43. Numbers 3, 10, and 12 relate to Béjar (1775-1797). The remaining documents are mainly of a private nature.

Twelve documents in volume 100 concern Texas. They deal with a variety of subjects, mainly within the period of 1792-1796. Perhaps the most important papers are numbers 6 and 11, which contain considerable material on affairs at Nacogdoches just before 1794, and number 16, which gives a large amount of information on the administration of Dn. Rafael Martinez Pacheco. The material in this volume is related to that in volume 51.

Volumes 161 and 162 deal with invasions of Texas. The first is made up in general of Mexican relations with the United States and France during the years 1809-1811. One document (number 2) is composed of original correspondence relative to a French invasion of Texas and Florida during this period. The nature of volume 162 is well indicated by its title: *Providencias tomadas sobre invasion proyectada por los Anglo-Americanos y faccios. del Norte, contra la Provincia de Texas, Año de 1819*. The correspondence mentions Americans on the Rio Grande and an American fortification on the Sabine. It contains original papers con-

<sup>1</sup>Among the signatures to the papers are those of Fr. Diego Ximénez, Jacinto Barrios y Jaurigue, Diego Ortiz Parrilla, Marqués de Cruillas and Antonio de Rivas.

cerning the Champ d' Asile affair, and others on Long's expedition. Among the latter are letters signed by Long himself.

In volume 287 there is a document of more than one hundred folios of original material on the removal of the mission Santa Dorothea to San Antonio. The papers are dated from 1751 to 1756.

The largest single group of documents encountered is that forming the Talamantes Papers. Some of the documents of this collection—those contained in volume 43—were described before.<sup>1</sup> Further examination shows that this volume comprises only a small portion of Talamantes's papers on the boundaries of Texas and Louisiana, for at least four, and, apparently five, other volumes belong to it.<sup>2</sup>

A word here explaining the circumstances of the collection of these papers seems to be in point. By a royal order of May 20, 1805, the king requested of the viceroy of New Spain documents relative to the province of Texas, with the purpose of determining, through history, the true western boundary of Louisiana.<sup>3</sup> The order refers to the fact that, in the first *Vías Reservadas* in Spain, documents of this sort could not be found for the period anterior to 1734, when those archives were burned. It required that the archives of New Spain be searched and that authentic copies of documents found be sent to the *Primera Secretaría del Estado*, to the Marqués de Casa-Calvo, for use by the commissioners on the Louisiana boundary question, and to the *comandante general* of the Provincias Internas, whose headquarters were then at Chihuahua. Pursuant to this order the viceroy, Yturriagaray, appointed on January 27, 1807, Padre Dr. Fr. Melchor Talamantes, of the military order of Merced, as chief commissioner to undertake the task.<sup>4</sup> All the important archives of New Spain were ordered freely opened to him.

To fulfill his commission, Talamantes planned an elaborate work which he described in a paper entitled *Plan de límites de la*

<sup>1</sup>THE QUARTERLY, VI, 106-107.

<sup>2</sup>Numbers 298, 299, 301, 302, and probably 325.

<sup>3</sup>The order is contained in Reales Cédulas y Órdenes, Vol. 195, folios 175-176 (1805). Archivo General.

<sup>4</sup>Historia, Vol. 43, Opusculo II, f. 24. To assist him the viceroy appointed Dn. Gonzalo Lopez de Haro.



*Provincia de Texas, y demas Dominios de S. Magestad en la America Septentrional Española.* This work was to consist of five parts, as follows: 1. A collection of the most authentic original documents relative to the general history of Texas from 1630 to 1770. 2. A collection of original documents concerning special points in the history of Texas and Louisiana of interest in the discussion in hand. 3. A collection of documents relative to past disputes concerning the boundary line between these provinces. 4. A collection of royal *cédulas* and orders, and of reports made by the viceroys of New Spain to the court containing evidence of the rights of Spain to Texas and to points further west and north. 5. A philosophical discussion of the rights of Spain to different points in North America, setting forth the principles that should be observed in drawing the boundary line between Texas and Louisiana, and, incidentally, that between Texas and New Mexico.<sup>1</sup>

Talamantes's notes show that he planned a far-reaching search for material. He leaves extensive bibliographies and a long list of public and private libraries to be consulted. So far as I have been able to ascertain, however, this elaborately planned work was never completed, but was left in the condition in which it is now to be found in the Archivo General. I have found no evidence that Talamantes ever made a report to the government. As some of the papers here described are in his own hand, as others bear his annotations, and as still others bear the signatures of the persons called upon to assist him, it seems probable that this collection comprises the papers left by Talamantes, rather than copies made from them. The essays in volume 43 seem to embody such organized results as he reached, while the remaining volumes contain the materials that he used. They are poorly arranged, and the five divisions planned were not kept distinct.<sup>2</sup> Many of the

<sup>1</sup>Historia, Vol. 301. As the pages of this volume are unnumbered, exact page reference can not be made.

<sup>2</sup>But several general groups can be distinguished, among them: 1. Talamantes's notes on his plan and on materials to be used. 2. Extensive lists furnished Talamantes of documents in various archives, principally of those in the Archivo de la Comandancia General de Provincias Internas, at Chihuahua. 3. Extracts made for and by Talamantes from various documents and older authorities. 4. Critical notes on these extracts.

documents are copies of well-known papers found in volumes 27 and 28 of *Historia*. The most important parts of the collection are the lists of materials, the collection of royal *cédulas*, and that of vice-regal reports.

Volume 320 relates entirely to the *presidio* of Bahía del Espíritu Santo, or, as it was called after 1829, the *villa* of Goliad. The first three hundred folios give a continuous, original record of the proceedings of the *ayuntamiento* of this place for the period between 1821 and 1835, except that records for 1829 are missing. For the first six years the minutes occupy an average of about twelve folios per year. During the later years the meetings of the *ayuntamiento* were more frequent and the reports fuller, making the average about thirty-five folios per year. The minutes for 1831 cover fifty-six closely written folios.<sup>1</sup>

More detailed bibliographical data concerning the materials here described in general are given below:

#### LIST OF TITLES OF DOCUMENTS.

In this list copies of documents contained in *Historia* 27 and 28, or of documents described in my former article, are not named unless there is some special reason for calling attention to them. In case the original or a better copy of a document previously noted is found, it is mentioned here. In some volumes the documents are numbered. In these cases the numbering is reproduced here. In other cases where no number is given to documents in the volumes it has been possible to assign numbers to them. Such numbers as I have assigned myself are put in brackets [ ]. In other cases, where the make-up of a volume is fragmentary, it has been impossible to give numbers to the documents.

#### *Volume 72.*

[18.] Extracto laconico y substancial de la Primera parte de la obra del P.<sup>e</sup> Dr. D.<sup>e</sup> José Antonio Pichardo sre. averiguar los verdaderos límites Occidentales de las Provincias de Luisiana y Texas. Contiene las pruebas del unico y absoluto dominio de la España de todo el territorio en que fundaron los Franceses la Luisiana. Folios 33. The *índice* of the volume calls this the second part of Pichardo's work. Another extract from Pichardo is found in *Historia*, 311.

5. A large collection of royal *cédulas* and orders concerning the subject in hand. 6. A large collection of viceregal reports to the court of Spain, touching the subject. 7. Essays by Talamantes embodying some of his conclusions.

<sup>1</sup> Among the *alcaldes* who signed these reports are: José Guadalupe de los Santos, 1821; Juan José Hernandez, 1822, 1825, 1826, 1832; José Miguel Aldrete, 1823, 1824, 1830, 1833; Thomas Buentello, 1827; Antonio de los Santos, 1828; Rafael Antonio Vasquez, 1834; José María Valdez, 1835.

[19.] Expediente formado sobre las variaciones, y mutaciones qe han tenido los Presidios internos, esquadras, y demas Tropas, desde qe los ar-regló el Exmo. Sr. Marques de Casafuerte. Signed by Domingo Valcarcel, and dated August 7, 1760. Folios 20—28 are on Texas. Original.

*Volume 82.*

1. Provision interina de los Gobiernos de Texas y Colonia del Nuevo Santander en el ten<sup>te</sup> Coronel Dn. Manl. Muñoz, y en el Conde de Sierra Gorda. Se dio esta á S. M. con Carta reserv<sup>da</sup> N<sup>o</sup> 531 de 1<sup>o</sup> de Mayo. Dated April 21, 1790. Folios 9.

4. Denuncias contra el Gobernador Dn. Manuel Muñoz [governor of Texas] y comision conferida al de la Colonia del Nuevo Santander, Conde Sierra gorda para averiguarlas. Dated 1791. Folios 88. This is a copy made by Bonilla in Mexico, in 1793, taken from the original representation sent by Dn. Ramón de Castro to the *comandante general* of the Provincias de Oriente in Nov., 1790.

5. Copia integra del Exped<sup>te</sup> formado á representacion del cabildo, Justicia, y regimiento de la villa de S. Fernando sobre discordias introducidas en ella por su Parroco D. Fran<sup>co</sup> Gomez Moreno, 1792. Folios 40. Copied in 1793 at Mexico by Bonilla.

6. Copia Integra del Expediente sobre la pesquiza á cerca de la conducta del Ten<sup>te</sup> Coronel Don Manl. Muñoz Gov<sup>or</sup> de la Prov<sup>a</sup> de Texas, y á nombre de aql. vecindario, 1792. Folios 150. Copied in 1793 at Mexico by Bonilla.

7. Expediente promovido por D. Fran<sup>co</sup> Xavier Galan Vecino de la Villa de S<sup>n</sup> Fernando contra D. Gabriel Gutierrez sobre concubinato, 1792. Folios 69. Copy.

8. Copia integra de la Carta del Padre Cura Br. D. Fran<sup>co</sup> Gomes Moreno, sobre malos tratam[i]entos que dá á los Comanches el Ten<sup>te</sup> Coron<sup>l</sup> D. Manuel Muñoz. March 20, 1793. Folios 2.

9. Copia integra del expediente promovido por el Vecindario de S<sup>n</sup> Antonio de Bejar, sobre agravios hechos por el Cura D. Fran<sup>co</sup> Gomes Moreno, 1792. Folios 17. Copied in 1793 at Mexico by Bonilla.

10. Copia del Expediente promovido por Dn. Gabriel Gutierrez, contra D<sup>n</sup> Franco Xavier Galan. Concluido por el Ten<sup>te</sup> Coronel conde de Sierra gorda, 1793. Folios 11.

11. Copia integra, sobre haver recebido Ynformacion á D<sup>n</sup> Ygnacio de los Santos Coy vecino de la Villa de San Fernando, 1792-1793. Folios 48. Copied in 1793 at Mexico by Bonilla. This contains complaints about financial matters at San Antonio.

12. Copia de Cartas escritas de la Corte y de la R<sup>l</sup> orn. de Contextas<sup>n</sup>. The *indice* contains the following summary of the document: Restitucion al Gobierno de Texas del Teniente Coronel D. Manuel Muñoz. El Exmo. Señor Virey, da cuenta al Señor Ministro de la Guerra en España, con la secuela que se ha seguido, en la sumaria que se formó al Teniente Coronel Don Manuel Muñoz, Gobernador de la Provincia de Texas, y las formadas por incidencia al Cura Br. Don Francisco Gomez Moreno y al Capitan

Rafael Martinez Pacheco, ex-Gobernador de la misma Provincia, 1793. Folios 7. Copied in 1794 at Mexico by Bonilla.

*Volume 84.*

2. [Title in the *indice*.] Colonos para Texas. Expediente formado, con las disposiciones dadas por el Exmo. Señor Virey, para que sean trasportados al Saltillo, y de allí á Bexar, las diez familias, procedentes de las Yslas Canarias, que se hallan en Cuatitlan, 1730. Folios 8. Original.

4. [Title in the *indice*.] Colonos para Texas. Expediente que forma las providencias dictadas, por el Exmo. Señor Virey, para el trasporte y establecimiento, de las quinze familias, procedentes de las Yslas Canarias, que marchan á poblar la Provincia de Texas, 1730. Folios 10. Original.

7. S<sup>a</sup> Sabá. Gov<sup>r</sup> D<sup>n</sup> Ph<sup>e</sup> Ravago. No. 2. Dup[li]ca[do]. Expediente, sobre establecimiento de Misiones en la inmediacion del Presidio de S<sup>a</sup> Savas, 1763 [with documents of earlier dates]. Folios 122. The *indice* gives the following description of the document: Establecimiento de Misiones. Expediente formado con los documentos relativos al establecimiento de Misiones, en las inmediaciones del Presidio de San Sabas y otros puntos, con otros incidentes relativos á las mismas Misiones. There is a large amount of material on the San Saba mission in Sección de Misiones, volume 21.

8. Diligencias secretas sobre varios asumptos echas por D<sup>n</sup> Melchor Afan de Rivera, Capitan Ynterino del R<sup>o</sup> Presidio del Orocoquizá apeticion de D<sup>n</sup> Fran<sup>co</sup> de Thovar. que lo es en propiedad de la Bahia del Espiritu Santo Enviadas por el mismo Thovár en 17 de Abril [1768]. Contextado en 9 de Mayo. Folios 50. This document deals with the flight of certain Indians from the mission Rosario to Bahia del Espiritu Santo.

9. Consulta del Varon de Rippardá, sobre aumento de Tropa, para contener los Enemigos, 1770. Folios 23. Duplicate. The *indice* describes this document thus: Provincia de Texas. El Gobernador de la Provincia de Texas, Baron de Ripperda, solicita del Exmo. Señor Virey, aumento de tropa, para poder contener la invasion que hacen los Bárvaros, en aquella demarcacion, uniendo otras solicitudes de varias otras personas, con el mismo objeto.

10. Testimonio del expediente formado á representacion de los vecinos del real Precidio de los Adaes, sobre q<sup>e</sup> se les deve avecindar en la Micion que era de los Yndios Aix, 1774. Principal. Srio. Dn. Josef de Gorraez. Folios 15. This is the original of No. 2 in Historia, volumè 51.

11. Documentos sobre recursos de Guerra acerca de la Goleta Ynglesa que baxó en la Bahia del Espiritu Sto., 1770. Folios 69. Part original. The *indice* gives the following description of the document: Buques de Guerra Yngleses en el Puerto de Vera Cruz. Expediente formado con los documentos en Yngles, frances y español, relativos á la reclamacion que hace, el sobre cargo y pasajeros á bordo de una Goleta Ynglesa, que arribó á la Bahia del Espiritu Santo, por perdidas y ultrages personales, que les hizo el Comandante de la Fortaleza de dicha Bahia, Don Francisco Dovár.

12. Expediente sobre la queixa que dió el Baron de Riperdá de que los

vecinos de la Colonia del Nuevo-Santander quitaban á los Indios sus hijos para venderlos por esclavos, 1773. Folios 25.

*Volume 93.*

3. Sobre desavenencia y disputa del ayuntamiento de Vexar con el Baron de Riperdá cuyo expediente gral. se pasó al comte Ynspector D<sup>n</sup> Hugo Oconor, seg<sup>n</sup> la nota puesta al q<sup>o</sup> se acomp<sup>a</sup> No. 45 de los entregado al Comte g<sup>l</sup> Cavro de Croix, 1775. Folios 24. Copy. This is a representation of the *ayuntamiento* of San Fernando to the inspector general describing Indian depredations.

4. Otro sobre que al vecindario del Nuevo Pueblo de N. S. de [I] Pilar de Bucareli se les destine Parroco p<sup>r</sup> cuenta de la R<sup>l</sup> Haz<sup>da</sup>, 1775. Folios 8. Mainly original letters signed by Ripperdá, Bucareli, and O'Conor. This supplements the material in *Historia*, volume 51.

5. Expediente formado á fin de conseguir del virrey la habilitacion de un puerto en la Bahía de San Fernando [Bernardo?] á fin de abrir un comercio reciproco y ampl[i]ar los limites de la Provincia de Texas hasta el Rio Sabinas. Dated 1794, but containing documents of earlier dates. Folios 41. Partly original. These papers seem to belong with No. 8, vol. 43. They contain a list of papers on the subject treated, among them being a map of the province of Texas made in 1788 by Don Mariano Angel Anglino, and plans of Bahía de San Bernardo and other coast places.

7. Expediente Formado á consecuencia de R<sup>l</sup> orn. de 7. Feb<sup>o</sup> de 1784 sobre q<sup>o</sup> se soliciten en la Prova. de Texas los Oficiales Deudores del Baron Dauterribe, 1787. Folios 9. Mainly originals signed by Cordova, Renzel, and Mendinueta.

8. Sueldos de Capitan de Ynfanteria del Sr Coronel graduado D<sup>n</sup> Bernardo Bonavia. definido por comision al Gobierno de Texas, 1787-1792. Folios 15. Mainly original.

9. Ynstancia de D<sup>n</sup> Nicolas Lamathe nat<sup>l</sup> de la Luisiana, para que en atencion a sus atrasos y buenos servicios contraidos en el Presid<sup>o</sup> de Bejar, se le permita regresar á su Patria con los auxilios y gracias que refiere, 1787. Folios 5. Original.

10. Representacion del Comandante Gral. D<sup>n</sup> Juan Ant<sup>o</sup> de Ugalde sobre la necesidad de Poblar la Villa de S<sup>n</sup> Antonio de Bejar, 1788. Folios 3.

12. Expediente promovido á representazon del Ayuntamiento de la villa de S<sup>n</sup> Fernando, acusando al Coronel D<sup>n</sup> Dom<sup>o</sup> Cavello, Gobernador q<sup>o</sup> fué de la Prov<sup>a</sup> de texas de malversacion con el fondo de Me[s]teñas, 1793, 1797. Mainly copies.

14. Expediente formado del Coronel Varon de Riperdá, provisto Gov<sup>r</sup> de Comayagua, sobre q<sup>o</sup> se declare el sueldo que debe gozar q<sup>o</sup> lo fué de Texas Srio. D<sup>n</sup> José Gorraez, 1787. Mainly original.

15. Consulta del Sr Comandante Gral. de las Prov<sup>as</sup> de Oriente sobre solicitud que han hecho los Yndios Oroquisac, Atacapazes, Vidals y Cocos pidiendo se establezca la Mision del Oroquisac; sobre que se separe del

Ingles de ten<sup>o</sup> de Gobernador á Don Antonio Gil Ybarbo, subsista D<sup>n</sup> Rafael Martinez Pacheco de Gobernador de Texas, y tomen varias providencias á beneficio de la Provincia, 1788-1792. Largely original. This material is supplemented by that in *Historia*, 100, No. 6.

*Volume 100.*

The descriptions here given of documents in this volume are those of the *índice*.

3. Cartas de las que se deduce, que con anterioridad, habia remitido informe el Gobernador de Tejas, manifestando lo perjudicial que era, dar á la tropa que estaba de guarnicion en los precidios, los dos reales en plata, los que invertian en vicios solamente, 1788. Folios 2.

6. Registro formado con motivo de los transites que signio la acusacion que se le hizo á Dn Antonio Gil Ybarbo, Teniente de Gobernador en Nacogdoches. Hay en este espediente varios ordenes, con el fin de que se practicara una averiguacion sobre los hechos que se habian denunciado y habia oometido Ybarbo. Informan al Virrey que este individuo, era de un oaracter feroz y obligaba á los vecinos del punto, á que le hicieran regalos, teniendo ya de estos varios manadas de yeguas, que tambien tenia muchas reces, pero que debia á un Comerciante de Orleans, mas de ps. 20,000; que convenia quitar lo de Nacogdoches, por ser sumamente perjudial en su gobierno. El Virrey comisiona á Dn Ramon de Castro, para que forme la sumaria respectiva y de esta resulta, que Ybarbo, tenia grandes relaciones con las contrabandistas y que tenia parte con ellos en todas las introducciones que hacian clandestinamente, y que ámas se manejaba mal con todos los vecinos. En virtud de este informe se decretó el arresto de Ybarbo, 1794. Folios 55.

7. Registro sobre las providencias que se tomaron en la representacion que hizo el Capitan de la Bahia del Espiritu-Santo, manifestando que no habia ornamentos en aquella Mision, los cuales fueron remitidos. 1792. Folios 1.

8. Comunicacion del Gobernador de Tejas, manifestando al Virrey, que habia hecho construir dos baluartes, con el fin de encerrar ahi la polvora, pues estaba espuesta á incendiarse, 1792. Folios 1.

9. Registro seguido con motivo de los medidos que se pusieron en practica á fin de restituir á la Mision del Rosario en la Provincia de Tejas, á los indios Caranaguaces, 1792. Folios 15.

10. Registro de un espediente que se formó, con motivo de una queja, que interpusieron unos esclavos de Dn Macario Sambrano ante el Virrey, por los malos tratamientos que recibian. El Virrey remite el espediente al Gobernador de Tejas, para que proceda á lo que haya lugar, 1792. Folios 3.

11. Registro que se formó con motivo de las diligencias que se siguieron en el espediente relativo á los efectos que condujo de Nacogdoches á Tejas, Dn Toribio Duran con licencia del Teniente Gobernador de aquel punto, 1793. Folios 6.

13. Registro formado con motivo de las diligencias que se practicaron

contra el Cura de Sn Antonio de Bejar, acusado de infinidad de excesos, hasta haber sido separado dicho eclesiastico (separado) del Curato, 1792. Folios 10.

14. Ynforme. El Gobernador de Tejas manifiesta al Virrey que ya habia hecho volver á la Micion del Espiritu Santo á los indios taranguaces, dando al Padre Garza una escolta, para lograr este fin, asi como de los medios que habia puesto en planta para lograr la buena armonia en dicho punto, 1793. Folios 7.

15. Registro de varias acusaciones, asi como de representaciones hechas por algunas corporaciones y autoridades, contra el Gobernador de Tejas Dn Manuel Muñoz, el Cura del mismo lugar y contra algunos otros vecinos, 1794. Folios 4.

16. Noticia sobre los exesos y asesinatos que habia cometido el Gobernador de Tejas Dn Rafael Martinez Pacheco, el cual fue relevado del cargo y sumariado. El Sr. Muñoz nombrado Gobernador de aquella provincia y encargado de instruir la sumaria, informa al Virrey, que Pacheco habia sido arrestado y que de la averiguacion resultaba, que este era un hombre perjudicial, pues no solo habia cometido asesinatos, sino Ara [?] infinidad de delitos, entre ellos el de haber malversado los fundos del Rey, 1796. Folios 121.

17. Representacion que hace ante el Virrey el Sr Dn Juan Barrera, manifestandole, que el Gobernador de Tejas, no le quiere permitir, paso á vivir á Coahuila. Este funcionario informa: no ser cierto esto, pues que ni licencia tenia pedida para ello, 1793. Folios 1.

*Volume 153.*

[7] Acusacion que se hace al Cura de San Antonio de Bejar Dn. Franco. Gomez Moreno, de inducir á los Comanches á robár y matár. Manda el Virrey al Obispo del nuevo Reino de Leon, lo haga comparecer á su presencia y le mande instruir causa; este no tiene efecto porque estando tan distante Bejar del lugar del Obispado. etc., 1794. Folios 34. Original.

*Volume 161.*

2. Correspondencia con el Mtro. Plenipotencia de S. M. C. cerca de los Estados Unidos de America, D. Luis de Oniz, 1810. Folios 62. In this the minister informs the viceroy that an expedition of 1200 men is about to embark from Aix with the intention of seizing Florida and creating disturbances in Texas. Original.

*Volume 162.*

[Title of the volume.] Providencias tomadas sobre invasion proyectada por los Anglo-Americanos y faccios. del Norte, contra la Provincia de Texas. Año de 1819. Folios 243. The volume is not divided into distinct groups of documents. Original.

*Volume 287.*

Autos fmos. apedimento . . . Frai Benitto de Santa An[na] . . . que se le manden restitu[ir] . . . de S<sup>a</sup> Antonio que es á cargo de la Sta. Cruz de

Querettaro, los [con] bersos Yndios de la nacion [Cujanes] que se hallan agregados á [la mision] de Santa Dorothea, 1751-1758. Folios 108. This material is all original and covers many subjects.

*Volume 298.*

Reales Cédulas y Ordenes. These are a continuation of the collection begun in the back of volume 299. In this volume they cover the period from 1692 to 1799. Folios 239, in eight *cuadernos*.

Traduccion del mensaje del Precedente de los Estados Unidos al Congreso, 2 de Diciembre, 1806.

Real Cedula Del Señor Don Carlos II. Dirigida al Virrey de Nueva España para que informe sobre las conveniencias que traen á este Reyno y al Nuevo Mexico la poblacion proyectada desde el año de 1630 en la Bahía nombrada del Espiritu Santo. Taken from Reales Cédulas y Ordenes, volume 16, of the Archivo de la Secretaria de Cámara y Guerra. Folios 3.

Expediciones Maritimas Hechas a la Costa del Seno Mexicano Desde el Año de 1684 hasta el de 1689 Para embarazar las poblaciones q<sup>e</sup> intentan en ella los Franceses. From the relation made by D. Gabriel de Cardenas in his *Ensayo Cronologico de la Florida*. Folios 6. Found also in Historia, Vol. 302.

Viage Que A solicitud de los Naturales de la Prov<sup>a</sup> de Texas y Otras Naciones circunvecinas, y de orden del Gobernador del Nuevo-Mexico D. Domingo Gironza Petris de Cruzate Hizo el Maestro de Campo Juan Dominguez de Mendoza, en fines del año de 1683, y principios de 1684. Copiado Del Original que existe en el oficio mas antiguo del Virreynato de Nuevo-España, en los Autos sobre la sublevacion del Nuevo-Mexico. Cuaderno 1<sup>o</sup>. Folios 59. This contains Mendoza's Derrotero.

Beside the above there are in this volume bibliographical notes and copies of several documents that are found in Historia 27, 28, and 43.

*Volume 299.*

Adacs, Año de 1755. Diligencias practicadas por el Govr. de la Prova. de Texas, en cumplimiento de lo que se le previno por el Excmo. Sor. Virey Conde de Revilla Gigedo á cerca de que examinase si su antecesor, D. Pedro del Barrio, tenia ó no comercio ilícito con los Franceses de aquella Colonia, y juntamte. el destino que han traído quarenta Embarcaciones Franceses. This is related to, and in part the same as, document No. 2. Vol. 181. Provincias Internas.

Constancias sobre la traslacion del Presidio Frances, y diligs. hechas en ello. Año de 1737.

Diario y Derrotero que hizo el Sargto. Mayor Juan de Ulibari de la Jornada que ejecutó de orden del S. Govr. . . . y descubrimiento de la Nueva Prova. de San Luis, 1706. Folios 12. This mentions the Thaco Indians.

Residencia de Sandoval, 1733-1736. Copy.

Autos hechos por el Brigadier D. Pedro de Rivera en razon de la Pesquiza contra D. Antonio de Valverde, 1726. Folios 3.



Representaciones á la corte por el Virreynato de Mexico. About 250 folios. Copied from original correspondence. This gives notices of Texas from 1756 to 1789. It is evidently a part of the fourth division of the work planned by Talamantes.

Reales Cédulas y Ordenes, 1638 to 1692. Folios 77. This is the beginning of the collection continued in volume 298. See above.

*Volume 301.*

Volume 301 is made up largely of Talamantes's notes and of lists and copies of documents made for him in Chihuahua and other places. These lists prove that at various times a vast number of documents relating to Texas were sent to Chihuahua from different places in Mexico. Among the documents contained in this volume, other than notes and lists and papers mentioned elsewhere, are:

2. Noticias Sacadas de los expedientes que en ellas mismas [Documentos que á consecuencia de oficio de 8 de Abril de 1777 se pasan al Señor Don Theodoro de Croix, Comandante General de Provincias Ynternas] se citan. Folios 5. Extracts made by Rojas at Chihuahua in 1807.

6. Extracto de las noticias q<sup>e</sup> se han podido adquirir en el prologo examen que se há echo del Archivo del Gobierno de la Provincia de Coahuila, á el que se han añadido las Hestoricas [sic] y Geograficas que se me ministrado por un buen Patriota Español, conducentes á la fixacion de limites entre la Provincia de la Luisciana y la de Texas, unas y Otros, con citacion y referencia á sus originales, etc. Signed by Juan Ygnacio de Arispe. Monclova, 1806. Folios 5.

Copia de la Junta de Guerra, y Hacienda [of Jan. 21-22, 1754] remitida á esta Comandancia del Gobierno de Coahuila. Copied in San Antonio de Béjar, August 10, 1806.

Copia de Real Cédula dirigida al Gobernador de Texas para que Ynforme sobre la construccion de un Fuerte de la Naacion Francesa en el Lugar de Nachitoches. July 24, 1774.

Extractos de los Expedientes y demas documentos que se hán registrado, relativos á la Provincia de Texas Ministrados por la Secretaria de Camara del Virreynato. Signed by Talamantes.

Quadernos trabajados por el Pe. Dn. José Antonio Pichardo de la Congregacion de Sn. Felipe Neri; sobre la linea Divisoria entre las Provincias de los Texas, y Luisiana. Folios 58. Another extract from Pichardo is found in Historia, volume 72.

Memoria Acerca de los limites de la Luisiana, sacada de varias Autores y Mapas, y Cartas Geograficas por el Padre Doctor Don José Peredo, Presvitero del Oratorio de San Felipe Neri de Mexico, 1770. Folios 5.

Certificacion de los Secretarios del Secreto del Sto. Oficio de la Inq[ui]sici[on]. These folios contain a list of the cases in which the holy office exercised jurisdiction over individuals within the territory in dispute, from 1661 to 1807. The collection was made by Dn. Mathias Lopez Torrecilla and Mathias José de Nagera. Original.

The volume closes with a long extract made by Pichardo from Abbé Raynal.

*Volume 302.*

[1.] Real Cédula Del Señor Don Carlos II de 2 de Agosto de 1685, Dirigida al Virey de Nueva España Ynformandole Haber concedido S. M. al Capitan D. Martin de Echagaray el permiso de reconocer of demarcar el terreno que corre desde la Bahía del Espiritu Santo hasta el interior del Nuevo-Mexico. Copied from Reales Cédulas y Ordenes, Vol. 20, folio 274ff.

[3] Carta de Damian Manzanet. Copied "del Original que existe en la Coleccion de Cartas que formó el referido Don Carlos de Sigüenza, y se halla en la Biblioteca del R. P. D. José Pichardo, del Oratorio de San Felipe Neri Segun acreditan los Documentos ministrados por el Santo Tribunal de la Inquisicion de Mexico." Other copies are contained in Historia, volumes 299 and 301.

[6] Derrotero De la Expedicion En la Provincia de los Texas Nuevo Reyno de Philipinas que de orden del Excmo. Sor. Marques de Valero, Vi-Rey y Capitan General de esta Nueva-España pasa á executar él Muy Yllustre Señor D. Joseph De Azlor, caballero Mesnadero del Reyno de Aragon, Marques de S. Miguel de Aguayo, Gobernador. y Capitan General de dichas Provincias de Texas, Nuevas Philipinas, y de esta de Coaguila, Nuevo Reyno de Estramaduro . . . Que escribi El Br. Dn. Juan Antonio de la Peña. Copied from a Mexican print of 1722. This copy contains plans of the presidios of Nuestra Señora de Loreto en la Bahía del Espiritu Santto, San Antonio de Bejar, Nuestra Señora del Pilar de los Adaes, and Nuestra Señora de los Dolores. Copies of the document are also found in Historia 28 and 299, but neither of these contains the diagrams.

*Evia Papers:*

[11] Explicacion para el reconocimiento de la Costa de Sotavento desde la pasa del S. O. del Rio Misisipi hasta la Bahía de San Bernardo. Folios 4.

[12] Diario de la Navegacion executada por Dn. Joseph de Evia desde la pasa del S. O. hasta la Bahía de San Bernardo. Folios 11. Apparently signed by Evia himself.

[13] A communication from Evia, Mar. 17, 1786. Folios 7.

[14] Expliacion de los Rios Borrás y Lagunas que hay en la Costa del Nuevo Reyno de Leon . . . desde el Rio de Tampico hasta la Bahía de San Bernardo. Folios 12.

[15] Diario de la Navegacion hecha por el Alferez de Fragata de la Rl. Armada, Don José de Evia . . . desde el Rio de Tampico hasta la de Bahía de San Bernardo. Folios 37.

Part of these papers are found in Historia, volume 43.

In addition to the above named documents this volume contains about two hundred folios of lists of documents on Provincias Internas. The lists were signed by Maria Rojas in Chihuahua. There are in this volume also copies of several documents found in Historia, 27 and 28. Among these is a copy of Bonilla's *Breve Compendio*.

*Volume 320.*

The title page of volume 320 reads: Libro formado por el Capitan de Milicias y primera Alcalde Constitucional de la Bahia del Espiritu Santo en que Constan las Actas que Semanalmente Celebra este Ayuntamiento Comensando desde el 22 de Marzo del presente año [1821]. The record continues to 1835, but there is no record for 1829. About 300 folios.

*Volume 325.*

This volume, which has no title, is made up of a continuous set of papers' also unlabeled, on Provincias Internas, with special reference to Texas. Most of them seem to be royal orders and viceregal reports. They are apparently a portion of the Talamantes collection, although this can not be affirmed with certainty.

THE REMINISCENCES OF MRS. DILUE HARRIS. III.<sup>1</sup>*Retrospection.*

July 4, 1899.

Well, the fourth of July has come again and I am still here to celebrate the day, aged seventy-four. Looking back, I remember many a fourth of July, some with pleasure, others with sorrow. I was born in St. Louis, Missouri, in the year 1825. My first remembrance of July the fourth was the year 1831. It was a gala day—the militia marching, drums beating, flags flying, public speaking and dining. I was kissed by Thomas H. Benton. I remember the great senator well. He was afterwards at the house of my father, Dr. P. W. Rose. One of my brothers was named Thomas H. Benton; in after years I understood what it meant.

The United States government was organizing an army to fight the Indians. The next fourth of July was in a year of death and sorrow to both old and young. The army that was sent against the Indians under General Scott met with stubborn resistance from the great Indian chief, Black Hawk, from April 26 to September 21, in the year '32. There was talk that cholera had broken out in the army. In June five hundred German immigrants were landed in St. Louis. The cholera that was brought in by the soldiers and Indians spread among the immigrants, and by the first of August it was scattered through the town. The people began to leave, and as everybody had visited the soldiers and Indians at Jefferson Barracks, the cholera spread to the country, and finally all over the United States. The deaths were awful. More than half the Germans died. All business was suspended; steamboats ceased coming; burying the dead and getting away from St. Louis was all the people thought of doing. It was almost impossible to get vehicles for the burials.

My father, Dr. P. W. Rose, had gone to the State of Mississippi to a place near Vicksburg to practice medicine among the cotton

<sup>1</sup>See *The Quarterly*, IV 155-189.

planters. He did not get home till the first of November. Mother, after burying two of her children, went to her father in the country. He lived in the Grains settlement near Mr. Dent, the father of Mrs. Julia Dent Grant. I played with her all one Sunday. I heard in the year 1850 that she was married to a Lieutenant Grant. Father returned to Mississippi on the first steamboat by the tenth of the month, spent the winter there, and then came to Texas.

*Bray's Bayou, 1838.*

(Written from memory in the year 1899.)

We enjoyed our new home very much, for we could attend church, a blessing we had been deprived of since the year 1833. Houston had improved considerably for a town not two years old. A steamboat had arrived. The captain's name was Grayson. Everybody was highly elated, as the farmers were going to plant cotton. The planters from Mississippi with their slaves were locating on the Brazos. A Mr. Jonathan Waters was going to build a cotton gin on the Brazos.

The 22nd of February, 1838, was the first time I met General Houston, the hero of San Jacinto. It was at a ball—my first ball in Houston. Sam Houston, then in his second year as president, Mosely Baker and wife, A. C. Allen and wife, a Mr. Coffee and wife, he a member of congress from Red River County, Dr. Gazley and wife, three Misses Stockbridge and others too numerous to mention were present.

I attended school during the summer. At this time there was no church building in Houston, nor any preacher stationed there. The first sermon I heard preached in Houston was delivered by a Presbyterian minister by the name of Sullivan. He preached in the Hall of Representatives in the old Capitol. There had been built a court house and jail, both of them of logs. Two men were in jail to be hanged for murder. The influx of men from the United States was not without its evils. There had been three terms of court held in Houston, but these men, Jones and Quick, were the first to be sentenced to capital punishment. With other evils, a great many gamblers had been put out of the State of Mississippi and, as it was believed that a large amount of money had been captured from the Mexicans at San Jacinto, Houston was considered the El Dorado of the West. There had been several

good houses built in Houston. Mr. Andrew Briscoe, the hero of Anahuac, was living in Houston, and was judge of the probate court of Harris county. He married Miss Mary Jane Harris in the year 1831 at Harrisburg. Mr. Woodruff's step-daughter, Miss Mary Smith, and Mr. Hugh McCrory were the first couple to marry in Houston. They married early in the year 1831, and he died a few months after.

There was to be an election this year for president, vice-president, and members of congress. The change of affairs under the Lone Star Republic may have added to the glory of statesmen and politicians, but it was a sad disappointment to the boys that were too young to vote. They never could forget the election barbecue and ball of the past. The women and girls seemed to enjoy the change.

Mr. Ben Fort Smith built a large two story house to be used for a hotel. It was opened with a grand ball on the 21st of April, the second anniversary of the battle of San Jacinto. Father, Mother, Brother, Sister, and I were at the ball. The second story of the house had not been partitioned off for bedrooms, and it made a fine hall for dancing. There were three hundred people present, but not more than sixty ladies, including little girls and married women. There were but few unmarried young ladies at that time in Texas, and as Miss Mary Jane Harris, the belle of Buffalo Bayou, was married, I, as the Rose of Bray's Bayou, came in for considerable attention. Politics ran high. General Mirabeau B. Lamar, vice-president, and a candidate for president, and Gen. Sam Houston and staff did not dance, but promenaded. One half of the men were candidates. Old Mr. Robert Wilson, "Honest Bob," was a candidate for congress. General Houston was talking with Mother and some other ladies, when Father presented Sister and me to the president. He kissed both of us and said "Dr. Rose, you have two pretty little girls." I felt rather crestfallen, as I considered myself a young lady. It had been the height of my ambition to dance with the president. At the Washington's birthday ball, Mrs. Dr. Gazley was dancing with the president. She, not feeling well, asked me to take her place, but a pretty young widow, Mrs. Archer Boyd, asked her partner to excuse her. She changed places with me, but I had the honor to dance in the same set. But as there was to be a wedding in June and

I was to be first bridesmaid and General Houston best man, I didn't care. More of that wedding anon.

The second anniversary of the battle of San Jacinto had come and gone and Mother said she hoped there would be nothing else to distract us from our studies, as the school would close in June. But there was another sensation. One Monday morning in May on our arrival at the school-house, we found the town covered with play bills. A theatrical company had arrived and would give the first performance Friday night, June 11. This was the first theatrical company to come to Texas. It not only ran the young people wild, but the old people were not much better. The manager's name was Carlos, stage-manager, Curry, company, Mr. Hubert and family, Mr. Newton, Miss Hoke, Mr. and Mrs. Barker and several children. More of the Barkers anon.

The wedding came off the 15th of June. The groom was Mr. Flournoy Hunt, the bride, Miss Mary Henry. The wedding was at the mansion house, the home of Mrs. Man, mother of the groom. It was a grand affair, but I was snubbed again by a pretty widow. General Houston and I were to be the first attendants, Dr. Ashbel Smith and Miss Voate, second, and Dr. Ewing and Mrs. Holliday, third. At the last moment the program was changed. Mrs. Holliday suggested that I was too young and timid, and that she would take my place. General Houston offered her his arm. They took the lead, and Dr. Ewing escorted me. Everything passed off very pleasantly. As soon as congratulations were over, General Houston, who was the personification of elegance and kindness, excused himself and retired. Mrs. Holliday took possession of Doctor Ewing and left me without an escort till Mr. Hunt introduced Mr. Ira A. Harris. He was young, handsome, and had been but a few weeks in Houston; and, as I did not have the president for a partner, I was well pleased. As there was no pretty widow to interfere, we were subsequently married. Houston was at that time overrun with widows. They came from New Orleans. But it was a blessing in disguise, as all the old widowers and bachelors were thus enabled to get wives. The wedding ended with a supper and ball. The names of a few who were present and who married widows are: Thomas Earl, William Vince, owner of the Vince Bridge, and his brother Allen Vince, owner of the fine

horse on which General Santa Anna made his escape from the battle field of San Jacinto.

There were no fourth of July celebrations that year. The election came off the first of September. Lamar was elected president;——[David G. Burnet], vice-president; Robert Wilson, senator. The condemned men, Jones and Quick, were hanged. School opened with Mrs. Robertson as teacher. President Houston had been absent in October visiting Nacogdoches. On his return the citizens arranged to give him a grand reception and banquet. The Milam Guards were to meet the president at Green's Bayou. As they marched out they came by the school house. The soldiers were a fine body of men; their uniforms were white with blue trimming. Captain Shea was in command. There were but a few girls in school. None of us was over fifteen years old, but we all had sweethearts among the Milam Guards. Soon after they left town rain began falling, and when they returned in the evening they were a sorry sight, wet and muddy, their uniforms ruined, and the president's clothing not much better. The reception was a failure, there being no ladies at the banquet. The school teacher, Mrs. Robertson, and pupils had received complimentary tickets to the theater that evening, as had also the president, his staff and the Milam Guards. Rain and mud did not deter us. We were all at the school house before dark. From there we marched to the theater, where the First National Bank now stands. The front seats were reserved for ladies and the school children, the next seats for the president, his staff, and the Milam Guards. The school arrived early, found the reserved seats occupied, and was accordingly seated in the second seats. There was considerable confusion, as the house was crowded. As the president and escort entered the orchestra played "Hail to the Chief," but there were no seats vacant to accommodate them. The stage manager, Mr. Curry, came out and requested the men in front, who were gamblers and their friends, to give up the seats. This they refused to do. Then the manager called for the police to put them out. They became enraged, and drawing weapons, threatened to shoot. The sheriff called upon the soldiers to arrest and disarm them. It looked as if there would be bloodshed, gamblers on one side, soldiers on the other, women and children between, everybody talking, women and children crying. The president got on



a seat, commanded the peace, asked those in front to be seated, ordered the soldiers to stack arms, and said that he and the ladies and children would take back seats. This appeared to shame the gamblers. One man acted as spokesman and said that if their money was returned they would leave the house, as they had no desire to discommode the ladies. He said that they would have left the house at first if the police had not been called. After the gamblers left, the evening passed very pleasantly. The president addressed the audience, particularly the children, as the term for which he was elected president would close soon. He admonished them to be obedient and diligent in their studies.<sup>1</sup>

The first theatrical company to perform in Houston closed its engagement the next day. Mrs. Barker went home sick, Mrs. Hubbard refused to act again, and Mr. Barker took an overdose of laudanum and died, leaving his family destitute, the mother sick, with three small children, in an open house without a fireplace or stove. As soon as the people buried the corpse, there was a meeting to find means to help Mrs. Barker. The gamblers gave money freely, but it was impossible to get a good house. Gen. Sam Houston came to the rescue, and said that the destitute family could have the president's mansion and that he would board. The family was moved into the mansion till Mrs. B. was able to travel to her friends. The company returned to the United States. A few years after, Mr. Newton returned with a new company. He had married a Miss Hope.

*Bray's Bayou, 1839.*

(Written from memory, 1900.)

This winter, 1839, was the first cold weather I had seen in

<sup>1</sup>Pinned to Mrs. Harris's manuscript at this point is the following clipping from a Houston newspaper, the name and date of which cannot here be given:

AN OLD PAPER.

Mr. B. F. Frymier has a very interesting relic in the shape of an announcement of the production of Sheridan Knowles' comedy, 'The Hunchback,' in this city on June 11, 1838, at the theater which was then standing at the corner where the First National bank is located. In addition to 'The Hunchback,' which play has not been shelved even in this late date, an opening address was announced by a Mr. Carlos and the singing of 'a new National Texian anthem' by the company, the performance concluding with a farce entitled a 'Dumb Belle, or I'm Perfection.' The price of admission was \$2.

Texas. There was sleet and snow. The new congress met in December, 1838, in Houston. General M. Lamar was president; the vice-president's name I do not remember. There was as much dissension in this congress as in the Consultation of 1835. The land speculators wanted to move the seat of government from Houston. No two members could agree. Some wanted to locate it at San Antonio, others at the head of the Colorado, or at Brazoria, Nacogdoches, or San Saba—every man was for himself. Finally there was a secret session of the senate that gave some offense to Senator Robert Wilson. He exposed some transaction of the session, and this caused his expulsion. An election was ordered to fill the vacancy. "Uncle Bob Wilson," as everybody called him, was nominated and elected. As soon as he received his certificate of election the boys decided to celebrate the event. They built a throne in a wagon, seated their senator, manned the wagon, marched around town, then to the Capitol while congress was in session, hurrahing for "Uncle Bob," and shouting "Down with secret sessions," and "The seat of Government must remain in Houston." They would have hauled the wagon into the senate chamber, but "Uncle Bob" requested them not to do so. This session of the congress passed the act locating the seat of government on the Colorado River above the Old San Antonio Road, and naming the place Austin. All the trouble and confusion of moving is a matter of history. At this time we were harassed by Mexicans and Indians. First was General Woll's invasion. The seat of government was moved back to Houston, and then to Washington on the Brazos. Times were very hard. Texas money was down to twenty-five cents on the dollar; gold and silver disappeared from circulation; and immigration to Texas almost stopped.

On the 20th of February I was married to Ira A. Harris in a log house on Brazos Bayou. The marriage ceremony was performed by Judge Andrew Briscoe, the hero of Anahuac. Mrs. Mary McCrory, now Mrs. Anson Jones, was bridesmaid, and Mr. Allen, from New York, groomsman. Among the guests were Gen. T. J. Rusk, Dr. Ashbel Smith, Louis B. and Clinton Harris, Adam Stafford, Gus and Steve Tompkins, Ben Fort Smith, Henry Woodland, Mrs. Brewster, and some friends whose acquaintance we made at Harrisburg in the year 1833, Misses Smith, Woodruff,

Conklin, Ella Rose, and Peggy House, Mrs. Allen Vince, and others of cherished memory. The summer of 1839 was fraught with many incidents, some of joy, but many of sorrow, as yellow fever raged in Houston for months. My dear father died on the 27th of December of that year. My husband improved a place near Houston. We lived there till 1845, the year of annexation, and then moved to Columbus, Colorado County, where my husband died in 1869. We raised nine children, all of whom are living at this time. Two sons were born under the Lone Star of the Republic of Texas—T. P. Harris, born April 15th, 1841, at Houston; and Joe. P. Harris, born Feb. 25th, 1843, who now lives in Houston. T. P. Harris is living at Luling, Texas.<sup>1</sup> He was at the battle of Sabine Pass. Joe P. Harris was with the Terry Rangers. Guy C. Harris was in the Galveston storm. I am now visiting my son, Lee Harris, at Purcell, Indian Territory, but I claim dear old Texas as my home.

<sup>1</sup>On May 4, 1903, Tom P. Harris died at Luling, at the residence of his stepson, N. J. Parsons. He was aged sixty-two years and nineteen days. A contemporary issue of the *Luling Signal* contains the following comment upon Mr. Harris's life and services:

TRIBUTE TO MR. TOM P. HARRIS.

Died in this city on Monday evening, May 4, 1903, at the residence of his stepson, R. J. Parsons, Tom P. Harris, aged 62 years and 19 days. Interment took place in the city cemetery on Tuesday evening at 6:30 o'clock. Services were conducted at the family residence by Rev. R. A. Harty pastor of the Baptist church. A large concourse of sorrowing relatives and friends followed the remains to their last resting place.

T. P., or 'Uncle Tom,' as he was commonly called by his most intimate friends, had been in very poor health for a number of years, and had rapidly been growing weaker for the past six weeks. He realized his condition and talked freely of death; said he was ready and willing to die whenever the Lord saw fit to call him home, and that the future, or eternity, was mantled in brightness. He was a man of great intellect and strong convictions, courageous and brave, charitable and kind. He had his faults, as all others have, but never wronged any one intentionally. He was a very patriotic man and a true Southerner. In 1861 he enlisted in Co. A., 13th Texas infantry, and bore the hardships of nearly four years of service.

On January 5, 1897, the 'Goth' Hardeman Camp, U. C. V., was organized in this city, and Mr. Harris was elected adjutant. This position he filled to the satisfaction of his comrades and with credit to himself up to the day of his death.

He served precinct No. 2 as county commissioner for a number of years, and was recognized throughout the county as a power in the councils of public affairs; and through his persistent and herculean efforts seven substantial iron bridges were built to span our largest streams in this section. He was noted as the road and bridge commissioner of Caldwell county.

Mr. Harris was born in Houston, Texas, April 15, 1841. He resided

many years in Columbus, and afterwards at Sabine Pass, where he was married to Mrs. Delia Parsons. He came to Luling in November, 1879, and conducted a lumber business until 1883, when he and R. J. Parsons formed a partnership in the general mercantile business.

His mother, four sisters and four brothers survive him.

'Uncle Tom' will be missed by his U. C. V. comrades, his many friends and sorrowing relatives; but he has gone to his never-ending home, where sickness, sorrow, pain or woe cannot enter.

A FRIEND.

## SKETCH OF THE TEXAS NAVY.

GEO. F. FULLER.

I received my appointment as midshipman in the Texas navy with orders to report for duty on the flagship Austin in May, 1842. The Austin was then lying in the Mississippi River at New Orleans. The navy at that time consisted of the following vessels: the Austin, sloop-of-war, twenty guns; the two 18-gun brigs Wharton and Galveston; and the three topsail schooners San Antonio, St. Bernard, and San Jacinto. The armament of the schooners consisted of six 6-pounders each and a long gun on a traverse circle amidships. These vessels were constructed by a firm of Baltimore shipbuilders, and were in beauty, speed, and other seagoing qualities unequalled. There was also an old side-wheeler, the Zavala, but at that time she was not in commission. Soon after my joining the Austin, the brig Wharton arrived and anchored below us. The United States sloop-of-war Ontario was anchored a short distance further up the river; so that there was the unusual sight of three men-of-war anchored off New Orleans, as well as the revenue cutter Hamilton.

The officers of the Austin were Commodore E. W. Moore, in command; Jas. Moore, commodore's secretary; Alfred Gray, first lieutenant; Cyrus Cummings, second; — Snow, third; Wilbur, fourth; Wm. H. Glenn, master; Norman Hurd, purser; Alfred Walker, Robert Clements, Fairfax Gray, Andrew J. Bryant, Geo. F. Fuller, Robert Bradford, and Edward Mason, midshipmen. The officers of the Wharton were Captain Lothrop, First Lieutenant Lansing, Second Lieutenant Lewis, and Third Lieutenant Wilbur; midshipmen, Culp, White, Faysoux, and Middleton. The two other ward room officers of the Austin were Surgeon Anderson and his assistant, Surgeon Peacock. The Austin was a ship of five hundred tons. Her battery of medium 24's was on the spar deck. Below were the berth deck, the steerage, and the ward room. Under the latter was the magazine, under the steerage were the spirit room and purser's stores, and under the berth deck the provisions and water tanks. The bread was stowed in a locker on the starboard side of the steerage, which had a storage capacity

of 20,000 lbs. of sea biscuit. The bulwarks of this ship, from the deck to the top of the hammock rail, were eight feet high, the top of the hammock rail coming flush with the top of the poop chain, and forward with the deck of the to'gallant forecastle. The sleeping arrangements of the commodore's cabin consisted of two swinging cots. The ward room furnished eight staterooms for the lieutenants, surgeon, and purser. All the other occupants of the ship slept in hammocks, which were swung at night and taken down to be stowed in the hammock sails in the morning.

The warrant officers in all navies are the boatswain, the gunner, the sail-maker, and the carpenter, who are not officers in line of promotion. The petty officers are numerous. They are the quarter-masters, quarter-gunners, captains of the tops, captains of the forecastle, master-at-arms, armorer, purser's steward, boatswain's yeoman, and the cook, who outranks all the others. The rules and regulations of the service were precisely the same as those in the United States navy, and copied from them, as the latter were from the English. In fact, the incidents described in the nautical tales by Capt. Marryat seventy or eighty years ago might have happened as naturally on the *Austin* as on an English sloop-of-war. The daily routine was as follows: a few minutes before eight bells in the midwatch—or in land phraseology—a few minutes before 4 a. m., the drum and fife rouse up the sleepers with the "reveille" immediately after which, eight bells having been struck, the pipes of the boatswain and his mates are heard, followed by the cry of "All hands"—then the call, "Up all hammocks." The midshipman of the watch reports eight bells at the ward room, and then drops down into the steerage, shakes his sleeping successor and bawls into his ear "Eight bells! I'll thank you to relieve me." The sailors straggle up from the berth deck, each one shouldering a hammock, which is rolled and lashed. These hammocks are handed up to the hammock rail, where they are stowed "rip rap" by one of the quarter-masters. Now pails of water, buckets of white sand, and holy-stones appear, and the holy-stoning of the decks is commenced. On this thoroughly scrubbed deck water is thrown and squilgeed out of the scuppers. The squilgee is a nautical hoe with two blades of strong sole leather. It is pushed. After this process the deck is laboriously swabbed. When dry, the running rigging is carefully "flemished"

down, that is, laid in flat coils on the deck like door mats. The quarter-master of the watch touches his hat to the midshipman and says, "Eight bells, sir." The latter reports this to the officer of the deck, who says, "Report it to the commodore, sir." The commodore, apprised of the fact, says, "Make it so, sir, and pipe to breakfast." The officer of the deck "makes it so" by ordering the quarter master to strike the bell eight. It is done, and if the night has been rainy, the top-sails and courses are dropped from the yards to dry. The jack rises from the bowsprit, the flag rises to the gaff, the night pennant flutters down, and the stop being broken by a sharp jerk of the halyards the broad pennant floats out from the mast-head. All these movements are simultaneous. Now is heard the boatswain's pipe followed by the single word, "Grog." The purser's steward appears at the larboard gangway with the grog-tub on which are three little tin cups. Each holds the "tod" allowed to the sailor. The men come down the larboard side of the main deck, each takes his "tod," the steward constantly refilling the little tin cups. One or two sailors after draining the cup turn it up side down, and if a drop falls into the palm of their hands they rub it into their hair. To oversee this rite is one of the duties of the master's mate of the berth deck. Breakfast follows this. At 10 a. m. the first lieutenant appears on deck. The surgeon meets him holding in his hand a small square of white paper, which has been carefully passed all around the interior of the cook's coppers. If it should show the slightest soil, the cook would receive a dozen lashes at the gangway. He is too careful, and the paper always came out unspotted. Now it is announced that the berth deck is ready for inspection. The first lieutenant descends the hatchway followed by the master's mate. He minutely inspects every crack and crevice. If he is in ill humor, he will declare the berth-deck to be in a frightful condition; if amiable, he will grunt approval. There was nothing on earth so clean as the old sailing man-o'-war.

Put seven or eight midshipmen in one room, and disputes are inevitable. This sometimes ends in a fisticuff. The officer of the deck jumps down and getting between the combatants receives some of the blows, which a looker-on would say were intentionally bestowed. No deadly quarrels arose on the *Austin*, but on the *Wharton*, two duels were engendered. Mr. White challenged Mr.

Culp. They went ashore, fought, and the latter was killed. Faysoux and Middleton met on the field of honor, and, as they were both dead shots, it was predicted that they would both fall at the first fire. The result almost tempted one to believe with Buffon that chance is "the ruler of the universe." It was the fraction of a second only that saved both lives. Faysoux fired first as Middleton was coolly and carefully lowering his pistol to the mark. The bullet from Faysoux's pistol struck the hammer of his adversary's weapon and glancing from that shattered Middleton's cheek-bone. As the bullet struck the lock it caused a premature discharge of Middleton's pistol, and the bullet thus hastened by the fifth of a second, struck the rim of Faysoux's cap, and came out at the top of it. Faysoux told me that he felt the bullet pass over the hair of his head. Afterwards, in Walker's time, Faysoux commanded the whole Nicaraguan navy, consisting of one schooner, with which he blew up the whole Costa Rican navy, which was represented by one brig. He was afterwards the mate of the Creole in the famous Cuban expedition, his commanding officer being no other than Lewis, formerly third lieutenant of the Brig Wharton of the Texas navy.

Chance played another part with two officers of the Lone Star navy. The schooner San Antonio arrived at New Orleans to revictual and recruit. After a stay of a few days her captain made sail on a cruise after waiting a few hours for his second lieutenant who was on shore. The schooner was about half a mile away when the absent officer came down in a shore boat. The San Antonio was beating down against the wind. The commodore ordered the second cutter to be called away and sent the delinquent to his own vessel. The boat returned with Tennyson, the third lieutenant of the Wharton, who had been sent on board the schooner to replace the belated man. Tennyson was saved, and the other officer was lost. The San Antonio sailed from her port and was never heard of more. It was supposed that she was lost in the great September gale of 1843.

It is greatly to the honor of Commodore Moore that he kept the navy afloat by his own credit at this time. The Republic did nothing, and Sam Houston was, and always had been, bitterly opposed to the navy. Just as Moore had succeeded in revictualing and manning the Austin and the Wharton, there appeared a commissioner,



Mr. Morgan, bringing peremptory orders from President Houston to Moore to sail for Galveston and abandon his intention of seeking the enemy. Morgan was talked over, and he sailed on the ship on this, which proved to be the last, cruise of the Texas navy. Everything being in readiness, a tug boat picked up both vessels one evening, passed up the river a short distance, and then turned. The crew of the Ontario manned the rigging and gave us three cheers, which were heartily returned and under this encouragement we commenced our cruise.

The routine of action is different at sea from what it is in port. At sea, the crew keeps watch and watch and the "dog watch," from 4 to 6 and from 6 to 8; and changes the hours of watch each day to prevent the injustice that would be done if the same half of the crew constantly kept the mid—or midnight watch.

We left the Southwest pass at night, a moonless night, as black as a crow's wing. I have only a vague recollection of my first night at sea on the Austin. The first lieutenant took charge of the deck and wore ship. The breeze was light, and the motion of the vessel scarcely perceptible. When I turned out in the morning the ship was under a cloud of canvas. The ocean was blue, the sky was blue, and all hands blue when it became apparent that the Wharton has disappeared. One of the afterguard coming aft with a bucket of water sang out "Sail ho!" as he reached the quarter deck. "Where away?" said Cummings, who was the officer of the deck. "Broad off the weather beam, sir." Cummings, after ordering the man to stop where he was, hailed the lookout and rated him for his neglect of duty. As the sail was a mere speck on the horizon he saw at once that the afterguard who sang out "Sail ho!" must be a seaman. He questioned him, and the man confessed that he had enlisted as a landsman, as he would have an easier time in pulling and hauling about deck than in laying aloft. Instinct betrayed him. He was put in his right place, stationed in the main-top, and proved to be one of the most effective and active of top men.

It was either on this day, or the following day, that the sentence of a court-martial was carried out on board the ship. I think it was in March or April, 1842, that a mutiny broke out on the San Antonio. The crew rose, killed the officer of the deck, Lieutenant Fuller (son of the proprietor of Fuller's Hotel in Wash-

ington, D. C.), seized the boats, and made for the shore. Six of them were captured. Four of these were sentenced to be hanged, and two to receive a hundred lashes each on the bare back. Preparatory to carrying out the execution of the decree four lines were suspended from the foreyard after the foresail had been furled. There was not a man of the whole crew on board from the boat-swain down who knew how to make a hangman's knot, which of course was affected ignorance. Gray, the first lieutenant, who was a thorough marlingspike sailor, exclaimed in a mildly sarcastic tone, "I'll show you how to make a hangman's knot!", which he did. The four lines from the weather and lee *yard arms*, led through blocks to the deck, were "married" together and passed through leading blocks aft to and around the main mast and forward to a point under the yard. One half of the crew were to walk aft with the line, the other half to walk forward. The officers were all on deck, each with side arms. The prisoners were brought forth and the ropes were passed around their necks. The commodore gave the signal, a shot from the bow gun, and the crew started on their death march. The four culprits were raised to the yard arm, and must have been strangled in the ascent; for they neither struggled nor made the slightest motion. The bodies were taken down, the surgeon read the funeral service over them, and they were committed to the deep. This melancholy but necessary act of justice had a depressing effect on every man and boy on board. But the crime of mutiny accompanied with murder can not possibly be condoned. It is discipline alone that ensures the safety of the officers, that enables them to control the crew which outnumbers them so greatly—twenty officers to perhaps three hundred and fifty sailors. Many now living will recall the mutiny, or rather the plot to seize the vessel, for fomenting which young Spenser, a midshipman and a son of the secretary of the United States treasury, was tried by court-martial as the ringleader, sentenced, and hanged on board the brig. This man o'war, was, if I am not mistaken, called the "Somers," and its captain, McKenzie. I had always vowed that I would never witness the hanging of a human being, but fate compelled me to see four men hanged at the same moment.

The day following this dread execution saw the punishment of one of the two remaining mutineers sentenced to receive a hun-

dred lashes. The man was served up at the gangway, naked to the waist. The boatswain gave the first blow with the "cat," with its nine cords; a reddish tinge appeared as the cat was raised for the second stroke; the marks on the back assumed, as the punishment continued, a purple hue; then the blood flowed. The surgeon stood by with his hand on the culprit's wrist. At the end of fifty lashes he made a sign that signified, "The man can bear no more," which caused his release. A shirt was thrown over his back, and he was led forward. He did not, at any time afterwards, receive the other fifty lashes, nor did the other mutineer receive one. Perhaps the commodore judged that the lesson to his crew was quite sufficient.

The commodore sailed on this last cruise a day or two earlier than he intended. He had received information that the two Mexican frigates were to re-coal at a little obscure port on the Mexican coast. For this point he made, but on arrival there found that the birds had flown. To our great delight, however, we found the Wharton off the place. Seen at a distance, we could not restrain our admiration at the picture she presented, with her graceful hull and raking masts—a thing of beauty, the model of a perfect man-o'-war. Once more the two vessels, reunited, headed for Campeche. In running down the coast and nearing our destination, sail was reduced, the commodore wishing to arrive in the morning and not at night. We were under the three topsails, jib, and spenser. They were heaving the log when the commodore came on deck and asked, "What is she making?" "Eleven, six" was the reply of the midshipman. "A mistake, sir. Try again." A second trial showed the same result. Eleven, six knots an hour in a light breeze and under such short sail was certainly wonderful speed. The ship was finally hove to and anchored off the coast of Yucatan. At early daylight the following morning, just as "All hands up anchor" was called, the Mexican fleet hove in sight—six vessels headed by the two steam frigates. The anchor was up like a flash, and our two vessels bore down on the enemy; the land breeze was blowing steadily, and the enemy, miles away, were slightly to windward. At a distance of nearly three miles the leading frigate opened fire. The shot fell short. The next one, however, passed completely over the ship. The fire was returned from the bridal port of the Austin, Cummings sighting and firing the gun. Suddenly the Austin grounded and slightly

heeled over to leeward. The watchful enemy immediately got over to leeward. Lothrop hailed from the Wharton's deck, "Shall I heave to?" To which Moore replied, "No, sir, keep on to your anchorage." I think this cool contempt for the foe must have astonished them. We were in sight of Campeche when we grounded, and we were not much displeased to see the Yucatan gun-boats coming out to our assistance, their sails white in the glistening sun, suggesting hurrying sea-gulls. They came down to leeward of the ship and opened on the Mexican fleet with their long 18-pounders. A freshening of the breeze together with all sail packed on the ship forced her over the shoal. We bore away for Campeche with our escort of gun-boats, and the enemy retired to their anchorage five miles from that city, off a little town called, I think, Llerma. This little skirmish occurred April 30, 1843.

In explanation of the appearance of allies from such a quarter, it must be known that Yucatan was in the throes of one of those peculiar revolutions so common in Mexican departments, and was in arms against the mother country. The city was blockaded, and a force of 5000 men had commenced a siege, erecting batteries in the outlying suburbs. Our arrival opened the blockade. We anchored three miles from the mole, for the land shoals so gradually that no vessel of any considerable size can approach nearer to the shore.

The city of Campeche was built by the Spaniards in the early days of the 16th century. It is a walled town, the walls being about forty feet high, with open scarp and no ditch. It was intended as a defense against the natives rather than against a civilized foe. Its battery consisted of 42-pounders, mounted *en barbette*. The town had many years ago commenced clambering over the walls and sprouting into suburbs. The country about, abounded in tropical fruit, and here my eyes were first regaled with the sight of the growing cocoa-nut. The town has no harbor, but faces an open roadstead. The bay of Campeche I think contains more sharks of all sorts and sizes than are to be found in any other portion of the watery world. Perhaps this is accounted for by the extraordinary abundance of edible fish to be found in such objectionable company. The shark, however, is universally eaten in Campeche, and the fish market makes a great display of them, from baby sharks to the large ones, which are sold by the pound.

We received a hearty welcome in Campeche, and the Mexicans, as if in satirical mood, commenced bombarding the city, which they kept up for three days and nights, with slight intermissions for refreshment in the way of sleep. At the expiration of the land breeze both sides laid down their arms and gave themselves up to the inevitable *siesta*. When the sea breeze came in they resumed the game of war. The Campecheans nearly destroyed the church of St. Roman in the suburb of that name, and knocked over a good many of the adobe houses. Walker, Clements, and I passed a cheerful hour on the ramparts, working a 42-pounder. When we tired of this sport we descended and were collared by three "grave and reverend signiors," who compelled us to sit down at a table under the shadow of the wall and regaled us with wine. Their manner indicated that the fracas going on was something that did not concern them, and that it would be impolite in them to interfere. The Mexican bombardment did but little damage to the city. But one shot should have been "heard around the world" for its sportive eccentricity. A cannon ball was sent completely through the bell in one of the cathedrals, making a perfectly round hole without cracking or shattering the bell. Those who do not comprehend the exact meaning of the word concussion will say "impossible"; but there can be no concussion where resistance is not powerful enough to bring a missile to a full stop.

The first thing that Moore did after his arrival in Campeche was to ask the Governor for the loan of two long guns, 18-pounders. This request was complied with at once. They were sent on board and mounted on two of the carriages from which two of the 24's had been removed. "Now," we thought, "if our Mexican brothers want to play a game at long bowls we can take a hand."

On the 16th of May, 1843, the Texas fleet set sail with the land breeze to meet the foe. They were equally alert. Moore's report has fully described this battle, and nothing remains for me but to add an incident or two. This first shot that struck the ship came from the schooner *Eagle*, the ball taking a semicircular bite out of a sailor's heel. At one time during this fight at long range the commodore got a chance to square the yards, run between the two frigates, and engage them with both batteries. At the very first fire the flag staff of the *Montezuma* was shot in two, and down went the flag into the sea. That ship paddled ahead and got round on the same line with her consort, to leeward of the Texas

vessels. The wind died out and a short calm intervened before the sea breeze came in. The Mexicans were to leeward, but would be to windward with the coming sea breeze. The Austin's yards had been braced around to meet the coming breeze, and at the very first breath of it she darted forward. Lothrop had not taken precaution against this, and the Wharton was taken aback. Her position was always on our weather quarter, but she lost so much in wearing that she fell hopelessly astern, and could not regain her position. The consequence was that she never received a shot in the ensuing battle. I do not remember how long the combat lasted. I only know that we chased the enemy about fifteen miles. The two steamers obstinately held their position to windward, forward of our beam. It was some time before they got the range, the shots for a long while passing too high. Their guns were 64-pounders. This was the first time guns of so large a calibre were used in action. One of these missiles dismounted gun No. 5, killed one man and wounded five others, ripped up several deck planks, and demolished a portion of the main top-sail sheet bits. There it stopped, and was retained as a trophy. Andrew Bryant, a little midshipman, was struck by a huge splinter and had two large pieces of flesh carried away from one of his legs, both sides of the femoral artery. A cartridge in its leather case mysteriously exploded and blew off the arm of the powder boy who was carrying it. The mutineer, who had received no punishment, fell to the deck dead. His breast was a mass of bruises, but the surgeon said, "Those did not kill him." I saw a spot of blood, which induced me to kneel down and lift his hair away from the top of his forehead. A small wooden splinter two inches long had been driven into his brain.

A curious experience is that which comes by being shot at from a long distance. One sees the flash of the gun, then hears the whistling of the ball, and then the report, the ball out-traveling the sound. After a little study of the coming balls one could determine very nearly where they were going to strike. Two of them I shall always remember. Of the first one I said, "This is going to pick a man from my gun's crew." It struck just under the port between wind and water. As it was jammed between two of the timbers it was found impossible to drive home a shot plug. The other shot which announced its intention to become intimate struck the deck of the to'-gallant fore-castle directly over my head (for

I was at gun No. 1), and tip-tip-tipped overboard, simply denting the planks. Walker, who was master's mate of the forecastle, looked over, and with his peculiar lisp, exclaimed "Fuller, that was devilish close." A few moments later I heard an oath from the sail maker, who declared that the scoundrels had ruined his new jib. It was of light raven duck. A cannon ball had passed through it, and the wind, freshening, was reducing it to ribands. Now, some of the standing rigging having been shot away, together with a good deal of the running rigging, the commodore wore ship to take the strain off the starboard rigging and to engage the enemy with the larboard batteries. This heeled the starboard over to such an extent that she made water rapidly through that *shot hole* under gun No. 1, and absolutely compelled a return to our anchorage. The Montezuma was so crippled that it was twenty minutes before she could stir. The Guadalupe followed after us for a short distance and then turned back to her consort. The sailing vessels of the Mexican fleet fled at the moment the sea breeze came in. The most unaccountable mystery connected with this fight in which a superior force, more than three to one, fled from their adversaries, was the inaction of the Yucatan gunboats, which obstinately remained at anchor defying all signals made by Moore for them to make sail. At the last moment one of them, commanded by a Frenchman, came out and opened fire on the foe. The commander of the gun boats, an American by the name of Bowie or Bowen, came on board when we anchored, looking frightened and deadly pale. What kind of rating he received from Moore we never knew. In this action the fire of both the Austin and the Wharton was directed exclusively at the Montezuma, while both steam frigates directed theirs exclusively at the Austin. Neither the Guadalupe nor the Wharton received even an accidental shot.

Soon after this battle we received the information that Sam Houston had issued a proclamation denouncing Moore and his men as pirates, and calling upon all the nations of the earth to seize us wherever found on the high seas. This was an atrocious act to be done by an otherwise honorable man and brave soldier. We had unwittingly been fighting with, figuratively speaking, halters round our neck.

Years afterward, when I was in company with two officers of the United States navy, Houston's extraordinary act was discussed.

One of them said "I was attached to the Vincennes sloop-of-war at that time, and we had received orders to seize the Texas vessels and bring them into port for their protection." "Supposing," said the other officer, "they had declined your generous offer?" "We should have captured them—a very easy task, I fancy." "Much more difficult than you imagine," said the other officer. "I knew the Austin, her officers, and crew. She was undoubtedly the fastest sloop-of-war in the world. She could have sailed round and round the Vincennes, raked her, dismasted her, and left her a wreck on the water. In addition to her great sea qualities, she was well commanded, well officered, and well manned. You would have scratched a Russian and found a Tartar."

When it was known that we were to sail for home, it was reported that Marin had sent word to Moore that he need not hope to leave that coast alive, and that Moore had replied that he would be happy to meet him outside, hoping that he would find courage enough to come to close quarters. I know not what truth there was in this, but I know that on the morning we got "up anchor for home" the Mexican fleet had disappeared from sight.

On the 4th of July we anchored off Sisal. On shore two of us celebrated the day with an omelette of sea-turtle eggs. These little round yellow shellless balls which the turtle lays in the sand would defy the digestive powers of an ostrich. A day or two afterwards we anchored off the Alocrans, and obtained a stock of sea turtle, at which Jack seemed inclined to turn up his nose and bawl for salt beef and pork. Our next anchorage was in Galveston harbor, which seemed full of boats filled with people who uttered shouts of welcome. We were given a public dinner by the citizens, and here ended my connection with the Texas navy, and with Texas, which country I have not seen for nearly sixty years.

It seems a pity that the Republic of Texas ever became merged in that of the United States. Today she would have been an empire in herself, free from the dictation of Northern manufacturers, with the power to buy and sell where she pleased. Strange as it may seem, there are only a few people in New York City who know that the State of Texas was ever a Republic, so very few that I have yet to count the first one. I do not know whether the old flag of the child Republic is now the State flag, but I hope it is, and that it may wave until the last syllable of recorded time.



## BOOK REVIEWS AND NOTICES.

*The Aaron Burr Conspiracy.* A history largely from original and hitherto unused sources. By WALTER FLAVIUS McCaleb, A. M., Ph. D., Fellow in the Texas State Historical Association, sometime Fellow in History in the University of Chicago. (New York: Dodd, Mead and Company. 1903. Pp. xviii+377. \$2.50 net.)

It is hardly speaking too strongly to call this a notable work. There may be some who will not accept its solution of the century old problem of the conspiracy as complete and satisfactory, but there are few who will deny that it marks an epoch in the treatment of the subject. Its principal theses are supported vigorously, and to most readers no doubt convincingly.

The theory of the conspiracy which has been generally accepted hitherto, and which has had its best exposition in the work of Henry Adams, is that it had two objects that might be alternative or joint as occasion should determine. One was to establish an empire in the Southwest on territory to be wrung from Spain; the other, to set up an independent confederacy of Western States. Dr. McCaleb's theory simplifies the explanation greatly by making the first object the only one. In support of his contention he argues that there was then no appreciable sentiment in the West in favor of disunion, but much in favor of a filibustering attack on the Spanish possessions. He explains the apparently treasonable correspondence of Burr with Merry, the British minister to the United States, and Yrujo, the Spanish, to which Mr. Adams has attached so much importance, by the very plausible assumption that his purpose was to beguile one or both of them into securing for him the money needed for the enterprise. On the whole, the theory of Dr. McCaleb seems much more rational and better adjusted to the facts of the conspiracy than that which it seeks to displace, and it can hardly fail to win acceptance from the historians.

As an example of far-reaching and thorough investigation, this book stands eminent among the historical output with which the century opens. It would be difficult to say too much in praise of

the scientific and scholarly enthusiasm that led the author to hunt from Mexico to London for new materials relative to his subject in every collection where there was any reason to hope they might be found. In the mind of the reviewer there is a story which is hinted at in Dr. McCaleb's introduction, but which can not here be told, of how the work grew—a story hardly less interesting in some respects than that contained in its own pages; how the fortunate discovery of certain letters relating to the conspiracy which he had been directed to search for in the then almost inchoate mass of the Bexar Archives quickened the impulse that sent the young student wandering from city to city throughout Mexico and the United States and finally across the Atlantic that he might perchance discover some grains of truth that had escaped the winnowing of others. To the fruitfulness of his quest, the book itself testifies abundantly. No previous writer on the subject has had available anything like the same store of original materials; and, had Dr. McCaleb done no more than bring those to light, the historical scholarship of America would owe him many thanks for that alone. But he has done more. The materials so patiently and industriously gathered have been handled well; so well, indeed, as to justify the term already applied to the book—notable.

Some defects are to be observed. For example, it is difficult to believe that the author has fully preserved the judicial attitude in the chapter on "The Trial at Richmond." There is likely to rise in the mind of the cool and impartial reader a question whether he has not drawn Jefferson smaller and Marshall larger than their actual proportions. The contrast between the characters of these two men is a subject concerning which there is much more evidence than this book contains; and it seems evident that the intensity of Dr. McCaleb's conviction has impaired to some extent the faithfulness of his coloring. But the characterization of Burr, while perhaps a little over sympathetic—if the term may be allowed in such connection—, seems on the whole the most vivid and real hitherto given to the public.

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*Fayette County, Her History and Her People.* By F. LORRO. Published by the author at Schulenburg, Texas, 1902. 8vo. Cloth. Pp. xxi+424.

If there is any portion of our State that is more intimately than

another connected with the beginning of the institutions Texas now has, and with their subsequent development, it is that group of counties carved out of Austin's first grant—Washington, Austin, Fayette, etc. Notwithstanding this fact, the present volume is the first to undertake the delightful task of setting forth at some length the rôle played by one of the divisions of this historic section. The book may be divided into three parts, corresponding to the three main heads in the title. The first 80 pages are devoted to a description of the physical features, natural resources, industries, productions, population, social life, politics, newspapers, and possibilities of Fayette county. It was perhaps this part that the writer had in mind who said, "Mr. Lotto has given to his county what many counties in Texas are trying to get; that is, just such a write-up to be put in book form and distributed through the country to prospective homeseekers. This book properly distributed ought to result in the location of several hundred families in Fayette county."

Under the second head a brief account of the history of the county is given. Of the 120 pages covered by this sketch, Chapters I and II cover 35 pages. Only 10 pages are devoted to the history of the county up to the time of its organization, January, 1838. Indian tribes, the arrival, character, and nationality of the first white settlers, Indian fights, and the county's share in the War of Independence are touched upon. Few readers will be satisfied with this not only brief but lean sketch of the beginnings of "the grand old county of Fayette." Chapter II is somewhat richer in materials, and covers the period from 1838 to 1861. In 1838, Fayette county was a competitor for the permanent seat of government of the Republic, and a bill locating the capital at La Grange, says the author, actually passed congress but was vetoed by the president. The Dawson massacre, the execution of the Mier prisoners, and the removal to and interment of the remains of both on Mounment Hill opposite La Grange are recounted. The remainder of the Chapter deals with the organization of the county, and with such subjects as taxation, county scrip, credit of the county; jails and courthouses, paupers, ferries, bridges, and roads, election precincts, county officers, and officers' fees—materials which are gleaned from the records of the county clerk's office and which are kiln-dried in character. The location of the school

lands and the amount of the county's share of the first apportionment of the public school fund—\$769.42 in 1854—are the only facts mentioned touching the state of education in Fayette county previous to 1861; churches fare even worse; and the early newspapers are almost as badly neglected. Not even the published material relating to these subjects has been indicated by the author. Most disappointing of all, however, is his treatment of that phase of the county's history which he refers to on page 44 as follows: "The early settlers of Texas came from different parts of the United States, mostly from the southern states; already, at a very early date, a large German immigration, supplemented later on by a Bohemian immigration, came to this county. How they amalgamated to a harmonious union; how far the individuality of the early settlers impressed its stamp on them, to what extent the character of the descendants of these settlers was influenced by these new elements or shaped by new conditions and circumstances created by them, this also would be an interesting subject. How climate, the nature of the country, the conditions to gain a livelihood influenced and shaped old traits of character and brought out new traits,—all this and a great deal more will be a profitable subject for consideration." The author does not even attempt to develop the subject broached, but dismisses it wrapped in all possible obscurity.

Chapter III—The Civil War, Chapter IV—Reconstruction, and Chapter V—Development, deal almost exclusively with the dry bones of administrative affairs of the county.

"Her People" may be taken as the title for the second half of the book. About 100 pages are filled with biographical sketches of people now living in Fayette county; an equal space is devoted to descriptions of the present state of forty cities, towns, and settlements, and to business advertisements. In a few instances a list of old settlers is given, but the dates of their location are omitted.

Numerous as the shortcomings of this book are, one must commend the frankness which prompted the author to present his readers by way of a preface with "a history of the preparation of this book." (P. iii.)

E. W. WINKLER.

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*South Carolina as a Royal Province, 1719-1776*, by W. ROY SMITH (New York: The Macmillan Company. 1903. \$2.50

net), is a book which, because its relations with Southwestern history are so remote, can not properly be reviewed in *THE QUARTERLY*. It is, however, given notice as the work of one who began his career as a historical investigator at the University of Texas; who has published one valuable monograph in the Southwestern field; and who, it is hoped, may take up his researches therein again by and by. Dr. Smith is now associate in history at Bryn Mawr College. The book is marked by the same sympathetic thoroughness and accuracy that have always characterized the studies of its author.

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*Arnold's March from Cambridge to Quebec*, by JUSTIN H. SMITH, Professor of Modern History, Dartmouth College (New York and London: G. P. Putman's Sons), is a work which, for scholarship, for critical and judicious handling of sources, and for tasteful common sense in its make up, may well be styled excellent.

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*Sketches of Alabama History*, by JOEL CAMPBELL DUBOSE, M. A. (Philadelphia: Eldredge & Brother), while apparently intended as an outline for popular reading rather than a scientific historical treatise, is full of interesting and valuable information.

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In the October *American Historical Review* the leading articles are "Historical Synthesis," by Fred Morrow Fling; "Two Lives of the Emperor Charles V.," by Ernest F. Henderson; "The Failure of the Humble Petition and Advice," by Ralph C. H. Catterall; and "Election of Delegates from New York to the Second Continental Congress," by Carl Becker. Three documents are printed, namely: "Correspondence of the Comte de Moustier with Comte de Montmorin, 1787-1789, II"; "A Letter of Noah Webster to Daniel Webster, 1834"; and "A Journey from New York to San Francisco in 1850."

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*The Gulf States Historical Magazine*, November, 1903 (Vol. II, No. 3), contains the following articles: 1. "Some Account of Confederate Indian Affairs," by Sutton S. Scott; 2. "The Ku Klux

Testimony Relating to Alabama," by Walter L. Fleming; 3. "Historical Notes of Milledgeville, Georgia," by Ulrich Bonnell Phillips; 4. "Alabama and Territorial Expansion Before 1860," by William O. Scroggs; 5. "Early Missions of the South (Florida)," by Anne Bozeman Lyon; 6. "Early Newspaper Files in the Library of Emory College, Georgia;" 7. "Winfree, of Virginia," by Mrs. Wm. C. Stubbs.

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*Studies in American Elementary Law.* By JOHN C. TOWNES, LL. D., Professor of Law, University of Texas. (Austin, Texas: Published by the Author, 1903. 8vo, pp. xx+490; sheep.)

It was the purpose of the author of this book to state in plain language the elementary principles of law for the use of the beginner. He has done the work in an admirable manner. A short synoptical review of the book will show the scope of the subject. The introductory chapter states some general principles of law relating to sovereignty and government, and to persons and things and treats of legal rights and duties; after which the book is divided into four parts. Part One treats of the different elements of political power and elucidates the scheme of municipal government in the United States. Part Two is devoted to a closer and more analytical view of the Federal and State governments and their relation to each other. Part Three enunciates the rules regulating the conduct of individuals and elaborates and discusses the body of municipal law formed by these rules showing special phases of conduct and relations affecting legal rights and duties, and defining property and its use and ownership including the law of contracts and torts and a brief view of criminal law. Part Four deals with procedure, showing the necessity of legal sanction for the administration of which courts are devised. The organization and jurisdiction of the courts are defined and the trial of causes, including pleading and evidence, receive general treatment.

Such is the scope of this valuable work. The purpose of the author to write the basic principles of the law in plain language has been adhered to with fidelity. He has not been led by the anticipation of objections and exceptions into an exploration of principles growing out of unusual conditions. The introductory chapter is a philosophical statement of fundamental principles applied to American institutions. There are certain basic or fundamental

principles of law which affect all society and the relations of men to each other under all forms of government and are incorporated into the law of a particular form of government with such modifications only as make them adapted to it. These principles as modified by the system of government in this country form American elementary law. After a clear and succinct statement of the principles of law entering therein the author develops the scheme of government, and the legal fabric is built up. So also are the principles affecting the private relations of individuals first stated, and the rules of conduct and property are then deduced.

Whatever may be said of other works on elementary law, Judge Townes has written a book that sets forth in good English and clear style and in a philosophical and logical manner the living first principles of the law so that the student may easily grasp them without becoming entangled in the perplexities of obsolete fictions. The work is well adapted to the use of the law student as well as of those who desire a knowledge of the legal principles upon which the government of this country is established and conducted and which control the affairs of its inhabitants.

C. C. GARRETT.

## NOTES AND FRAGMENTS.

THE TEXAS REPUBLICAN.—In a former number of the QUARTERLY (Volume VI 162) a notice of *The Texas Republican* was quoted from its contemporary, the *St. Louis Enquirer* for Sept. 15, 1819. The following is a similar notice from the *Gazette de la Louisiane* for Saturday, September 4, 1819:

“Par le courrier d’hier, nous avons reçu le premier numéro du *Texas Republican*, gazette imprimée en langue Anglaise, au village de Nacogdoches à 50 lieues au de la Sabine. L’imprimeur se nomme Eli Harris,<sup>1</sup> natif de la Caroline de Nord.”

*L’Ami des Lois et Journal du Commerce* of the same day and date as the *Gazette* copies this notice, but changes the phraseology; for instance, it calls Harris “le rédacteur.” Both papers furthermore copy the article, dated “Nacogdoches, August 14” and printed in the QUARTERLY referred to, but omit the paragraph (the record from the end) stating the quantity of bounty land and the pay volunteers are to receive. Moreover, the *Louisiana Gazette*<sup>2</sup> for Thursday, Sept. 23, copied the item below from a later number of the *Republican*:

“NACOGDOCHES, Aug. 18.”

“Major Smith, who lately accompanied Gen. Bigelow to Galves-

<sup>1</sup>Yoakum, *History of Texas*, (I, 200), states that Horatio Bigelow was editor.

<sup>2</sup>The *Gazette*, as well as *L’Ami des Lois*, was bilingual.

<sup>3</sup>*L’Ami des Lois* prints this date as Aug. 28, and perhaps correctly so; for the following paragraph is closely connected with the above and is dated

“Nacogdoches, Sept. 11.

“Adj. Gen. Bigelow and Major Smith have returned from Galveston, via the port of Trinity. Their report of the disposition of the inhabitants to acknowledge the authorities of the Republic, is, we understand, exceedingly flattering. It is presumed that, when the council shall again convene, Galveston will be declared a port of entry and delivery, and that measures will be taken for the government of that port, and of the island of St. Louis. In the meantime we are warranted in saying that all friendly vessels arriving at Galveston will meet with the most hospitable reception, and that every facility will be offered to those desirous of joining the army.”—*The Louisiana Gazette*, Monday, Oct. 4, 1819.



ton, we understand is on his way from that place; he comes up the Trinity river, with a large boat loaded with provisions and munitions of war.

"We feel authorized to state that no persons, for the future, will be received into the Republican Army unless they are of good moral character and come well recommended or give sufficient assurance for their good conduct. The cause in which we are engaged ought to be gained by good men alone; and as ample fortunes await those who faithfully persevere to the end, we hope to have plenty of such men as we never shall be ashamed of, and who we can treat as brothers."

E. W. WINKLER.

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THE MEXICAN ADVOCATE.—The *St. Louis Beacon* of November 14, 1829, copies the interesting notice below from the *New York Courier* of October 23,<sup>1</sup> 1829:

"New Paper in Texas.—We received the other week the first number of a new paper from Nacogdoches, in Texas, called the 'Mexican Advocate.' It is printed in Spanish and English, and appears to be conducted with intelligence and success. Nacogdoches is situated in 31 degrees 42 minutes north latitude, on the main road from Nacogdoches<sup>2</sup> to San Felipe de Austin and Bejar."

Additional information concerning the *Mexican Advocate* is very much to be wished for. The earliest paper published in Austin's colony, *The Texas Gazette*, appeared about Sept. 29, 1829.<sup>3</sup> If the exact date of the appearance of this first number of the *Advocate* can be ascertained it is barely possible that it will be found that Nacogdoches can claim not only the first newspaper but also the second to appear in Texas.

E. W. WINKLER.

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THE MEXICAN ROAD FROM BÉJAR TO LAREDO.—The statement

<sup>1</sup>I am indebted to the courtesy of the Librarian of Congress, Mr. Herbert Putnam, for this reference to the exact date of the *Courier*.

<sup>2</sup>This should perhaps read Natchitoches.

<sup>3</sup>Comprehensive History of Texas, I 369, Col. Guy M. Bryan's statement in note 1.

printed below, which is contributed by Mr. R. G. West, is a translation of a document found among some old papers that once belonged to Governor Viesca. It is a list of stations, with the distances in leagues between them, on the road from Béjar to Laredo used by the Mexicans in 1835.

## ROAD FROM BEXAR TO LAREDO.

From Bexar to Medina.....	River.....	6	6
To Las Gallinas .....	Ravine.....	4	10
To Rancherías .....	Creek.....	3	13
To the Atascoso .....	do. ....	3	16
To the Parrita .....	do. ....	5	21
To the Macho .....	do. ....	3	24
To the San Miguel .....	do. ....	5	29
To the Leona .....	do. ....	5	34
To Rio Frio .....	do. ....	3	37
To the Canada de Guadalupe.....	Ravine.....	4	41
To the Canada Verde .....	do. ....	3	44
To the Canada de Caballos.....	do. ....	3	47
To the Retamita .....	do. ....	2	40
To the Nueces .....	Creek.....	3	52
To the Maguellites .....	do. ....	4	56
To the Becero .....	do. ....	4	60
To the Pato .....	Creek.....	2	62
To the Guisache .....	do. ....	3	65
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To the town of Laredo.....		3	72

Note: It is only known that from Bexar to New Mexico it is 250 leagues, for neither the travelers nor the Comanches who are here can define the stopping places.

Dated, Bexar, 22nd of March, 1835,  
ANGEL NAVARRO (rubric).

---

TEXAS HISTORY MATERIALS IN SATILLO.—Last summer I examined the public archives of the State of Nuevo Leon preserved in the capitol at Saltillo, with a view to learning what they contain on Texas history. A large portion of the materials stored in the

Archivo is as yet unclassified. The character of such of the classified documents as relate to Texas is well indicated by the title of the index in which they are listed: *Registro de las Solicitudes, Concesiones y otros asuntos relativos á terrenos en Texas*. This register contains descriptions of two hundred and forty-two documents, all but seven of which fall within the period from 1825 to 1835, inclusive—the period of active colonization in Texas. Most of these are special land grants made to Mexicans. Of the remainder—some fifty in all—a considerable portion seems to be composed of duplicates of papers that are to be found in Austin, in the Bexar Archives or in the General Land Office.

Thus it may be concluded that of the classified materials in this collection those relating to Texas are not of the highest importance. An examination, however, of the large mass of documents that are as yet unclassified might bring to light papers of greater value.

ETHEL ZIVLEY RATHER.

---

## **James Monroe Hill**

**Honorary Life Member**

**Texas State Historical Association, 1897-1904**

**Member Texas Veterans' Association, 1873-1904**

**Vice-President of the Veterans' Association, 1893-1901**

**President of the Association, 1901-1904**

**Born in Putnam County, Georgia,  
March 13, 1818**

**Died at Austin, Texas, February 14, 1904**

---

---

# **John Christopher Columbus Hill**

**Honorary Life Member  
Texas State Historical Association, 1897-1904  
Member Texas Veterans' Association**

**Born at Columbus, Georgia, November 15, 1828  
Died at Monterey, Mexico, February 16, 1904**

---



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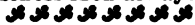
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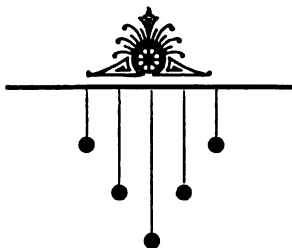
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# THE QUARTERLY

OF THE

## TEXAS STATE HISTORICAL ASSOCIATION

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OF THE

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VOL. VII.

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JOURNAL OF THE PERMANENT COUNCIL (OCTOBER  
11-27, 1835).<sup>1</sup>

EDITED BY EUGENE C. BARKER.

## 1. *Introduction.*

In April, 1833, Santa Anna was inaugurated President of Mexico. He was the champion of Republicanism, and great things were expected of him. In less than a year, however, he began to carry into effect a series of measures for the thorough centralization of the government. The national congress and some of the state legislatures were dissolved, the cabinet was dismissed, and for several months Santa Anna ruled as a dictator. In January, 1835, he undertook the legitimization of Centralism. A subservient congress was called, and in May it declared itself competent to reform the constitution of 1824. This it proceeded to do, and on October 3 a decree was issued declaring the establishment of a centralized government.

While these movements were taking place Stephen F. Austin was in Mexico—whither he had been sent by the convention of 1833—pleading for the separation of Coahuila and Texas and the elevation of the latter into a sovereign state. He was thrust in prison, and in October, 1834, Santa Anna definitely rejected his petition. At the same time the dictator decided to station four thousand

<sup>1</sup>Archives of Texas, Records, Vol. I.

troops at San Antonio, "for the protection of the coast and the frontier."<sup>1</sup>

These troops began to arrive in the early part of 1835, and the Texans particularly resented the efforts of a small detachment placed at Anahuac to enforce the payment of tariff duties. In March, 1835, congress decreed, as a part of the program of Centralism, the reduction of the militia throughout the Republic to one man for every five hundred inhabitants. The rest of the militiamen were to be disarmed. The Legislature of Coahuila protested against this measure and was dissolved. Shortly afterward Governor Viesca was deposed and a military governor installed in his place.

All this was sufficiently ominous to arouse the apprehension of even the most conservative Texans. What should they do? A small but very active party—called the War party—counseled secession from Mexico. The great mass of the colonists would not think of such a step, but they realized the necessity of some concerted plan of procedure. Local committees of safety and correspondence had already begun to be formed. Mina (Bastrop) took the lead (May 8, 1835), and the movement spread rapidly. By the end of August every municipality and precinct, or jurisdiction, had a committee, and through these local organizations the call was issued for a general convention or consultation.

The first suggestion of a consultation came from a public meeting held in Columbia on June 28.<sup>2</sup> In less than a month every committee of correspondence in the country was urging it. Encouraged by the general approbation, the people of Columbia held another meeting, August 15, and appointed a committee to arrange for calling the convention.<sup>3</sup> The committee numbered fifteen, and Dr. Branch T. Archer was its chairman. An address was issued, reciting the various causes of the prevailing uneasiness and asking the committees of safety and correspondence to take steps for the election from their respective districts of five delegates to meet at San Felipe in general consultation on the 15th of October.

<sup>1</sup>Brown, *History of Texas*, I 275.

<sup>2</sup>*Texas Republican*, July 4, 1835.

<sup>3</sup>*Ibid.*, August 22 and 29, 1835.

Subsequently, by amendment of the committee of Nacogdoches, the number of representatives was increased to seven.<sup>1</sup> The election was to take place October 5.

Before the election could be held it became evident that war was inevitable. During the latter half of September the San Felipe committee, with Austin—who had just returned from his Mexican prison—as chairman, assumed general direction of affairs. Austin, however, felt that this committee lacked authority, and in order to make it representative he urged each of the other committees to send to San Felipe one member to form a “permanent counsel” until the meeting of the consultation. Only Matagorda and Liberty responded, but on October 11 the council organized itself by electing R. R. Royall president and appointing C. B. Stewart secretary. It numbered five members. In the meantime delegates to the consultation had been elected, but hostilities had also begun, and when the day of assembly came it was found that so many delegates were away with the army that a quorum could not be obtained. Those present thereupon adjourned until November 1, and upon invitation of the permanent council a number of them united with that body.

The permanent council thus had a corporate existence of twenty-one days. Its work formed an introduction to that of the consultation, and some of it was very important. From October 11 to 26 a journal of its proceedings was kept, but this has hitherto in some way escaped publication. In the archives of the State the MS. is bound with the manuscript journals of the consultation and general council. A number of documents are referred to in the journal, and a search through the archives and through the newspapers of the period has discovered about half of them. They are printed as annotations to the text. Why the journal was discontinued on the 27th is unexplained. The council remained active until the 31st, and several of the documents printed below relate to the work of these last five days. On November 3 the consultation finally organized and after making to it a general report<sup>2</sup> the permanent council dissolved.

<sup>1</sup>*Texas Republican*, September 26, 1835.

<sup>2</sup>Journal of the Proceedings of the consultation.

2. *The Journal.*

Council Room Oct 11. 1835.

The president of the Committee of Safety and Vigilance of San Felipe, Col Stephen F Austin having considered it important that He should proceed to the head quarters of the Army of the People left this place on the [8th].

The remaining members of the aforesaid council or committee to wit Col Wm Pettus and Gail Borden Esq together with R. R. Royall a member from the Commee of Vigilance of Matagorda & Joseph Bryan a member from the Comee of Liberty, these two Gent. having come from those places at the request of the Committee of San Felipe to form a permanent Council until such time as the General Consultation of Texas can be held.<sup>1</sup>

Assembled this day—When it was proposed that another member should be added to the body to wit a Secretary & that R R Royall should be elected President—which propositions were carried into effect—C B Stewart added to that body &c in pursuance of the above

Oct 12

Dispatched this day per M Roberts a letter to the commander at headquarters & to Col Austin of which a copy marked (A) is retained<sup>2</sup>

<sup>1</sup>Committee of Safety of the Jurisdiction of Austin,

San Felipe, October 1, 1835.

. . . This committee proposes that one of the Members of each of the other committees of safety be appointed to come to this place without one moments delay, and remain here as a permanent counsel—such a measure is now deemed to be indispensably necessary.

S. F. Austin,

Chairman of Com.—

Archives of Texas, A, file 1, No. 1.

<sup>2</sup>San Felipe October 13th, 1835.

To the Committees of Nacogdoches, & St. Augustin

Since Writing you by express forwarding our circular nothing of Importance has come to Our Knowledge we received a letter Dated the 8th from Capt Geo. Collinsworth then at Guadalupe stating that he would that night enter Goliad with forty seven men under his command. The Result we have not learned.

As no express has lately arrived from headquarters we Reasonably suppose that Col. Austin is entertaining the enemy with profers of compro-

13th.

A communication was made per Mr. Montgomery to the Committees of Nacogdoches & San Augustin of which a copy marked (B) is on file<sup>1</sup>

mise till Our men shall all arrive. Or the enemy has hastily Returned to San Antonio and our forces have persued and not been able to Bring on an engagement.

We are all united here and it requires more Pattriotism to keep men at home than to get them in service. Such United Spirits cannot fail of success. But as we learn the enemy expects reinforcements we must Repeat Our Earnest solicitations to our countrymen to turnout.

Your committees will in all necessary Occasions Give assurances of ample Compensation for all sums expended and all services Rendered in the cause of our comon country. The Western mail will arrive today when we will Give you every Information in our Power. We still are scarce of Powder Lead & Guns.

Respectfully,

R R Royall

President of the Council of Texas.

General Saml Houston

Dear Sir

After addressing the committee we received an express by Mr. John Johnson forwarding resolutions of the committees of San Augustin and Nacogdoches which we are much gratified to receive and that you have been selected to the command

A cannon from Harrisburg will probably be here today Col Austin's wish is for you to send a suitable guard by this place and take the cannon to head quarters.

With considerations of much regard we are

Very respecty

R R Royall

P<sup>r</sup>t &c.

Archives of Texas, A, file 1, No. 4.

---

<sup>1</sup>San Felipe Oct 12, 1835

To Col. S. F. Austin, &

The Comr at Headquarters

Gentlemen

The dispatches from Goliad were sent you yesterday by Mr Borden. We answered Capt Collinsworth in a way that if the enemy intercepted it they will be in no wise encouraged. We sent yesterday morning by Mr Randolph Foster for about 800 pounds of lead said to be at Staffords old place. The cannon from Harrisburg we hope will be here this evening & will be forwarded so soon as we can get a small guard to protect it, unless you may advise otherwise. Every step has been taken to excite

Also 13th October

Received from Nacogdoches a Com. marked (C) on file.\*

Also 13th Oct

A copy of Capt Collingsworths letter by J. C. Kerr of Labaca—  
with an account of the capture of Labahia &c marked (D)<sup>1</sup>

active movements and Mr Bryan a member of the committee from Trinity informs us that more men may be expected from that quarter.

As yet nothing has been received from Ayeish Bayou and Nacogdoches, but we think that assistance will certainly come from there soon, as the excitement prevailing from a suspicion of hostile intentions on the part of the Indians are quieted.

Information by Mr. Bryan received states that Judge Harden at Liberty stated that the Indians after holding a council addressed a letter to the inhabitants conveying their good will & the fact that their council related entirely to their own affairs—He also (Mr B) states that two influential men were sent by the committee of his place to Cow Bayou where he supposes they will turn out 40 men—

The cannon and powder from Matagorda we confidently hope are on the way but for fear that the little opposition in that place may prevent the execution of the order so far as relates to the cannon and a part of the Powder we think it may be as well for you to send a confidential person to meet it—

It is ascertained that the cannon at Tenosticlan is bursted.

Some news of Good authority came in on yesterday of some persons being killed and a family carried off from Little River and that some persons were in Pursuit. That however cannot be other than those small tribes that have been for some time troubling our frontier.

We will add to Col. Austin we have had conversation with many Persons at and Passing this Place and think they Very Generally question the Propriety of any compromise which may entangle us by an alliance with a Mexican chief as the Common Prevailing Idea is that so long as we have any connection with them we cannot expect to be settled in Government.

Very Respectfully

C. B. Stewart

Secty.

Archives of Texas, D, file 15 No. 1460.

R R Royall

President of the Council.

---

\*This letter cannot be found in the archives. The same is true of a number of other documents referred to below. They will be indicated by an asterisk \* in the text.

---

<sup>1</sup>Guadaloupe Victoria

Oct 10 1835, 11 o'clk P. M.

To the Council of War at Gonzales

This moment Col Milam with an escort of a few men bringing with



Sent an account of the foregoing to Col Austin at headquarters—and another to Genl Houston to be sent on to the Committee of Naco'doches leaving them open that all persons might be put in possession of the fact &c—

This day received from W. P. Huff and C B Stewart the returns of an election held by the citizens of San Felipe for a Captain of Patrol—

Stephen Miller being unanimously elected—presented himself to the permanent council praying that he be Commissioned in form—Whereupon the president and secretary were requested to issue

them three officers passing from Goliad bound for San Felipe, a copy of the following letter will elucidate the matter.

“Goliad 8 oclock A. M.  
Oct 10, 1835

To Captain Ben Smith

Dear Sir, I arrived here last night at 11 oclock and marched into the fort by forcing the church doors, and after a small fight they surrendered, with 3 officers & 21 soldiers, together with 3 wounded and one killed. I had one of my men wounded in the shoulder. They have dispatched couriers for troops to several points, and expect I shall need your aid, there are plenty of public horses near here, but I have not sufficient force to send after them and protect myself. Come on as speedily as possible—

Geo. M. Collinsworth.

You will please communicate with Col. J. H. Moore on this subject of my letter, and since the above was written I have been informed that 50 troops were expected today or tomorrow. Come on as speedily as possible for I never will “give up the ship”

G. M. C.”

On the withdrawal of Captain Smith and Alley yesterday at Burns' we were informed that Captain Collinsworth had passed this place at 11 o'clk yesterday, for supplying the detachment, they encamped for the night. This morning they crossed the Guadalupe and passed for La Bahia and no doubt will be there by ten or 11 o'clk to morrow. John J. Linn and myself came by this place to hurry on supplies of sugar and coffee, and will take on 50 lbs. of gun powder to Goliad. The Battalion when formed in Goliad will be in want of lead. I have been informed that the Martins of Gonzales have 300 lbs at Dewitts or Santanna, but the information is too uncertain to be relied on to send for it. I shall send several copies of this to the committee of correspondence at San Fillipe. I presume to say to you that the three companies will form a Battalion and march for Bexar. But of this movement you shall be advised so as to produce concert of action. My opinion is that no time is to be lost, as you will see by Capt. Collinsworth's letter that large reinforcements

to him such commission with a draught of such regulations as they may think most fitting The commission accompanied with the regulations were accordingly executed in form and given to Capt Miller—

13th

The following letter & copy of the resolutions of the members of the Convention and the officers of the Army present at Gonzales were received from Col Austin

Gonzales Oct 10. 1835

I herewith enclose the resolutions adopted by a meeting of the members elect of the Gen'el Consultation and of the officers of the Army of the People now at this place by which the members of the Consultation who meet on the 15th will be informed of the wishes of those who are with the army and also of the officers— The recommendations contained in the resolutions were adopted after the most mature deliberation with but one dissenting voice.

It is expected that a definitive organization of the army will take place to day and that the line of March will be taken up tomorrow for Bejar

Signed Austin

To the Members of the General Consultation who meet on the 15th

#### Resolutions

Resolutions of a meeting of the members and officers of the Army present at Gonzales—

have been called for. When the Battalion is organized we will be 300 strong. I presume to say the battalion will immediately march towards Bexar. The names of the prisoners are Lieut. Col. Zandoval, Captain Savanego, and ensign Garcia.

With respect &c

James Kerr.

11 Oct. 7 O'clk A. M.

Express just received from Captain Collinsworth dated last night 8 o'clock. He is somewhat alarmed, he has 10,000\$ in public store, 300 stand of arms and there is a number of Public horses near him. I have returned his *correo* with information that Smith's and Alley's companys are near him, also I send right off an express to the detachments to pass for La Bahia. Col Milam will go with the Prisoners to Gonzales, their names &c.

James Kerr.

Archives of Texas, Records, Vol. III 61-62 (Copy).

Resolved that the Chairman of this meeting be instructed to address the members of the Consultation requesting all of them who can repair to the camp of the volunteers armed and equipped for battle and when so assembled if war is necessary to aid in fighting the battles of the country, but if their services can be spared from the field to determine in holding the Consultation at such time as a majority of the members may agree upon

Resolved That if any portion of the Convention meet at the time and place appointed and find it impracticable to repair to the camp, as invited in the foregoing resolution that they be requested if they amount to a quorum to adjourn from day to day and suspend all action until the first of November

Adopted Oct 11. 1835

Signed S. F. Austin

Cham

Oct 14th

This day appointed Wm Hall Contractor for the Army of the people—who forthwith proceeds to carry into effect the object of the appointment—issued to him a writ of his powers &c

Order to Capt Wm Hall.

San Felipe 14th October 1835.

Capt Wm Hall

You will please proceed with all possible dispatch to fill the call of Col Austin for supplies, for the Army and forward them to Head quarters with all possible dispatch. Contracting for all such things as may be necessary and giving your official receipt for the same and In case of a refusal to obey your demand and knowing it to be of Vital Importance to the Army you will Press into service any Valuables that may be necessary to a speedy and prompt Co operation with our forces at headquarters.

Relying at the same time upon your Prudence and Moderation to so execute the Order as to Distress none and produce Satisfaction If Possible

R R Royall  
Presdt &c.

C. B. Stewart Secy

14 Oct

Wrote Col Austin advising him to date of all that has occurred and that has been done toward forwarding supplies &c

Issued an order to Charles C Givens.

Order to Bearer

To Charles Givens Esq

Sir This Committee have thought Proper to press two yoke of Oxen for carrying into effect the requests of Colonel Austin for supplies and as we learn you have care of Mr Williams's this will be to you an authority for delivery of two yoke of Oxen to the bearer.

R R Royall  
President &c

C. B. Stewart Secty

14th Oct

Paid Geo Huff one hundred Dollars to go to Columbia and forward the ammti—[ammunition] artillery &c to the army—this amount to defray expenses—with an order to press Four waggons into the Service—

Borrowed the said \$100.00 from Jas Cochran for which this committee gave a receipt and it is to be taken out the said funds in his hands on deposit by J H Money—

Circular

San Felipe 15th October 1835—

Fellow Citizens

Col Austin has Just Written for more help, help, help. he took the line of march for San Antonio on 13th and Wrote for help, help, help. he fears being forced into a fight before the Nacogdoches troops arrive. Fellow Citizens you have false reports among you I pledge my Head for the truth of what I write when I say to you that your Countrymen are in danger and have written here for help and that in a few days. Your Immediate assistance may save our troops and our country. I would Gladly be in the field

but cannot be permitted to leave San Felipe. Turn Out. Turn Out, and that Hastily. Repair to the Camp.

Your friend

R. R. Royall

Presdt of the Council &c

Circular sent out

Oct 15

Wrote Col S. R. Fisher president of the Committee of Matagorda to send Sugar Coffee and Salt to camp and to forward to this committee a bill of the articles so sent—*"We have some funds—for these things draw on this council—we would like however to be advised how far you may be able to comply with this request that our arrangements may be shaped accordingly"*

Signed R. R. R.

Pressed wagons 1 belonging<sup>1</sup> and to go to Camp  
with the contemplated supplies

16

Gave Capt Stephen Miller an order to arrest Bob (a free negro) alive if possible or dead if it be impracticable to take him alive—he having made violent threats against the whites—and take in possession his property and effects and do all necessary in his opinion toward this end &c &c

On the 17th

Received the three officers captured by Capt Geo. M. Collinsworth at La Bahai who are turned over to the council as Prisoners of Warr Gave a receipt for the same—Names and Rank are Colonel Francisco Sandoval—Capt Manuel Savarigo and Ensign Antonio Garza. Also the President Gave a certificate to a Number Going to Bevil Settlement that this council Will Honour any Drafts Drawn by any Officer elected by their Respective Companies to the command for Expenses supplies &c

The members elected to the consultation having met (agreeable to the Purposes of their election on the 16th) and not being a quorum to proceed to Business adjourned till this day when meet-

<sup>1</sup>The blank spaces indicate words omitted in the original.

ing and not finding a quorum the major Part having taken the Field they

Resolved on adjourning 1st November or as soon as a quorum could be assembled and by Leave of the Permanent Council it was resolved that those members who could not conveniently Go to the Army should be attached to and become members of the Permanent Council. When agreeable to a call of the President of the Council they met at 9 oclock A. M. When the House being called to Order and the following members appeared

	{	A. G. Perry
		Jas. Parker
Viesca	{	J. G. W. Pierson
		Saml. T. Allen
		Alex. Thomson
Austin		Wm. Pettus
Matagorda	{	R. R. Royall
		Ira R. Lewis
Harrisburg	{	Jesse Batterson
		Lorenzo De Zava[la]

On motion of Mr. Parker of Nacogdoches the following resolutions were adopted

Resolved that Silas M. Parker be and is hereby authorized and required to impl[o]y and superintend the conduct and proceedings of twenty five rangers whose business shall be to range and guard the frontiers between the Brazos and Trinity rivers, and that Garrison Greenwood be and is hereby authorized and required to impl[o]y and superintend the prosedings & conduct of ten rangers on the East side of the Trinity River—and that D. B. Fryar be and is hereby authorized and required to impl[o]y and superintend the conduct and Proceedings of twenty five Rangers Whose business it shall be to range between the Brazos and Colorado Rivers and that each of those superintenders have a right To engage to each ranger that [is] employed one dollar & twenty five cents per day untill the convention make other arrangements and to draw on the council or the executive established by the Convention from time to time for such sums of money as is necessary to defray expences accompanying each draft by account of expenditures.

On motion a committee of five men appointed on the subject of the above resolutions

Whereupon the following persons were nominated by the Chair said committy Daniel Parker Alexander Thompson A. G. Perry J. G. W. Pierson William Pettus

On motion of Mr. Perry of Viesca

Resolved that the President of the Council be authorized to take charge of And provide for the Mexican prisoners to day received from Head quarters of the Volunteer Army

On motion of Mr Perry the house adjourned to wait the report of the Committy appointed by the Chair on Mr Parkers Resolution

Saturday 3 oclock the council met in pursuant to adjournment

Mr. Perry from Viesca Chairman of the Committee to whom were referred the resolution of Mr Parker on the subject of a line of rangers on the frontiers made the following report

The committe to whom were refered the resolution of Daniel Parker adopted by the genl council of Texas for the establishment of a line of Rangers from the Colorado to the Nazish [Neches] River have had the matters and things refered to them under consideration and beg leave to report that in their opinion that the superintendants of the rangers from the Colorado to the Brazos and from the Brazos to the Trinity should make their place of rendezvous at the Ouaco [Waco] village on the Brazos River, that the superintendant of the rangers on the East side of the Trinity River make his place of rendezvous at the town of Houston that the said superintendants have full power and authority to call and contract with men and for ammunition and provisions agreeable to said resolutions and draw on the genl council or executive hereafter appointed for pay—making an exhibition of his accounts for the same that said Superintendants should be Vigilant in carrying said resolutions into effect on being notified of said resolutions that said companies when assembled at their places of rendezvous shall elect their officers whose duty it shall be to report to the superintendants every fifteen days their proceedings who shall report the same to the genl council or executive as the case may be at least evry thirty days by express the expences of which shall be paid out of the public funds of Texas that the companies ranging from the Colorado to the Brazos and from the Brazos to the Trinity shall rendezvous at the Ouaco Vil-

lage evry fifteen days unless prevented by engagement with or in pursuit of the Indians that said companies shall unite when ever in the opinion of their officers it shall from the situation of the country become necessary that said officers be particular not to interfere with friendly tribes of Indians on our borders that said superintendants shall watch over the conduct of the officers and report accordingly and see that full justice is done to the bounds assigned them.

A. G. Perry Chm  
Daniel Parker  
Alexander Thompson  
J. G. W. Pierson  
William Pettus

Which on motion of Mr Perry was adopted

And on motion of Mr Perry the secretary furnish the editor of the Telegraph and Texas Register with a copy of the foregoing resolutions & report

Henry Millard	from	Liberty
Peter J. Menard	"	do
Hugh B. Johnston	"	do
A. B. Hardin	"	do
Clabron West	"	do

exhibited their certificates and took their seats

House adjourned to half after seven P. M.

The House met pursuant to adjournment On the suggestion of the chair Mr William Sims Halls appointment and instructions were presented to the house by Mr Hall who was present were by the house unanimously confirmed as contractor of the army

The chair proposed to the house an address to the people of Texas which was red & refered to committe of five whereupon the following persons were appointed said committee A G Perry Peter J Menard Joseph Bryan A. Houston Daniel Parker

The house adjourn till tomorrow nine o'clock A. M.

Sunday 18th October 1835 A. M.

The House met pursuant adjournment

James W. Parker applyed for absence which was granted

The Chairman of the committe appointed on the subject of an



address to the people of Texas presented a substitute to the one proposed which was adopted as follows

San Felipe de Austin Oct 18th 1835

The committee to whom were refered the communication from the chair on the subject of an address to the People of Texas generally have had the subject under consideration and beg leave to report that on the 16th inst they arrived in San Felipe De Austin as representatives to the genl consultation of all Texas that on the evening of the same day they went into a committee of the whole number present being thirty-one—That information had been previously received at San Felipe which was laid before said committee that the Mexicans had entered our territory in hostile array—that on the receipt of said information a majority of said members had proceeded to the field of battle and who together with the officers & soldiers of the army requested that said consultation be postponed until the first of November next—which was agreed to by the committee then present owing to the emergency of the case and Texas being without a head a council had been previously formed termed the genl council of Texas requested each municipality to send a representative and on the meeting aforesaid it was resolved that the Delegates to the genl consultation who were not prepared to join the army should be attached to the general council which was accordingly done who proceeded forth with to business and whose powers will cease on the meeting of the consultation. Thus far fellow citizens have we to show you the authority by which we now act Texas is without a head this council has been formed to act as one until the genl consultation can be held War is upon us the enemy is already upon us—Yes fellow citizens the enemies of freedom trampling our rights and constitution under foot—Many of our patriot and energetic citizens have already taken up arms and are now in the field to repel the invader—Yes fellow citizens to oppose The riveting of the chains of Military despot upon necks of freemen—Fellow citizens this is no chimera of the brain of a few interested individuals or land speculators the time has arrived that all must submit to the military and clergy lay down our constitution which we have sworn to support or rise and assert our rights—Already

has the first blow been stricken many of our fellow citizens are now in the field fighting for the rights of the people of Texas and for the constitution they are a calling aloud for help and will you fellow citizens remain inactive and suffer yourselves your wives and your children to become the slaves of a tyrant Fellow citizens blood has already been shed two companies have met at Labahia the Volunteer company of the people under Capt. Collingsworth and the Mexican troops under the command of Col. Francisco Sandoval the latter were completely defeated with the loss of ten thousand dollars worth of public stores 300 stand of arms one killed and three wounded one American wounded—the three principal Mexican officers were taken prisoners & were yesterday brought to San Felipe Fellow citizens you have the most of you been apprised that Santa Anna has declared the constitution under which all procured our homes null and void and that we must leave the country or submit to a dictator—Fellow citizens the genl council of Texas is disposed to lay all matters and things before you in that is any way connected with your interests they are disposed to make every arrangement in their power guaranteed to them in the exercise of their present responsible station we occupy for the Safety and Welfare of the country already has a line of rangers been established on the frontiers to protect the inhabitants from the savage scalping knife Already have we said we will respect the rights of the No[r]thern Indians amongst us so as not to compromit the interest of Texas and now fellow citizens we call upon you for aid Yes we call upon you as your representatives guarding your interests to march to the field of battle the blow of liberty has been struck it is for you to follow it up or let it recoil with a tenfoal vengeance the resources of Texas are sufficient to defray expences the officers of companies will make his contract and draw and draw [*sic*] on the genl council for pay his drafts will be honored so long as they continue to Fite—arms and ammunition have been received from New Orleans and forwarded to the army now on their march under the command of Genl Austin for San Antonia at which place Genl Coss is stationed with about eight hundred troops—Fellow citizens this is not the cause of a few it is the cause of the whole people of Texas let us be

united and our cause is sure let us lay aside party feelings and sectional prejudice the cause we espouse is the cause of the people and on the people we call

A. G. Perry Chm Daniel Parker, A Houston P. J. Menard Jasper Bryan	}	Committee.
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On Motion of Mr D Parker it is Resolved that a thousand coppys of the address to the people of T       be printed in hand-bill form and Messrs Parker and Perry superintend the printing thereof

James B. Wood appeared and presented his certificate and took his seat—

The house received a resolution from Gen'l Sam'l Houston by the hands of Mr. Garrett which was adopted so far as the word void which is put on file—marked A\*

The house met pursuant to adjournment

R R Royall Presdt.

J G W Pierson Secretary

On motion of A. Houston the following Resolutions were adopted marked B, on file\*

The house adjourned until tomorrow 9 oclock A. M.

Monday 19th Oct, 1835

The House met pursuant to adjournment

On Motion of Mr. Perry for the determined place of the meeting of the Genl Consultation on the first of November 1835 of all Texas as follows

Resolved by the Genl Council of Texas that the Genl Consultation be held at Washington on the first of Nov, 1835—first proposed by the Committee of Columbia.

Adopted with one Dissenting Voice—Marked C, on file\*

The House adjourned till two oclock p m—

The house met pursuant to adjournment.

On Motion of Mr Hood the President of the house presented a letter to Genl S. F. Austin datted the 13th inst in relation to a parole of honor for three officers prisoners of War taken in the

battle at goliad Whereupon be it Resolved that we regret the necessity of delaing of them but that the President be instructed to give them the privalege of the town upon a written parole of Honor and such other privaleges as he may grant Be it also resolved that said officers be allowed the privalege of righting to their friends submitting it to the inspection of the President

R R Royall Presdt

J. G. W. Pierson  
Secty

This day received a letter from the president of the council of War commitioning S. F. Austin Commander and Chief of Texas army marked D on file.\*

The House adjourned till tomorrow nine oclock A. M.

Tuesday 20th The house met pursuant to adjournment.

On motion of Mr A. Thomson on the subject of a male [mail] route or male routs in Texas Upon which there were appointed a committee as follows J. S. Hood Joseph Bryan A Houston

The President was presented with a Draft of G. Borden in favor of a Mexican Manuel Sanchez for ten dollars for carrying express and the President Issued his Draft on said Borden for that amt in his hand as public funds—The Draft filed marked ED\*

On motion of P. J. Menard Resolved that a committee of five be appointed to enquire into the state of the Public funds and If necessary Report a Plan of Replenishing them for the Purpose of Defraying the expenses of the Army &c &c

When the chair appointed Messrs Zavala, Houston, Menard, Pettus & Thompson a committee to Report at 9 oclock on tomorrow

When the House adjourned to 9 oclock tomorrow

Wensday 21st Oct

The house met pursuant to adjournment and on motion of *Col* Pettus it was unanimously agreed that *Mr* Boardon [Borden] be called upon to report to this council the state of Funds in his hands as collector *Mr* Boardon came forward and made a Report which is on file in this office together with receipts for Monies

paid over which were Receipted for by the president of the council all marked F\*

On motion of Col Pettus the House adjourned for one hour

The House Met pursuant to adjournment and on Motion of P. J. Menard it was Resolved that only five Hundred Coppies of the circular &c be printed

The committee to whom were refered the subject of the Finances of Texas Made a report together with Resolutions which were unanimously adopted said Report on file marked G<sup>1</sup>

<sup>1</sup>The Committe to whom were Refered the subject of the Finances of Texas Report that the public coffers should be Replenished therefore

Be it Resolved that Jos L Hood Jacob Garrett & Peter J. Menard be appointed public agents to unite with the committees of safety &c of the Jurisdictions of Nacogdoches and St. Augustine to demand Receive and receipt for all public moneys in the hands of officers and other public agents arising from the sales or entries of Land stamp paper or any other dues collected as public money in the name of the Mexican Government or the state of Coahuila & Texas, also in the name of the General Council of Texas to contract and receive loans of money executing such obligations as the case requires in the names of this council Pledging the Public Faith for the payment of the same and interest at a Rate not exceeding ten per cent per Annum and further the said persons associated as commissioners or Public agents are hereby empowered to act separate from the committees of safety in cases requiring them so to do and said committees or Public agents are hereby empowered to take any steps that the present emergency may require to secure the public funds in all cases where the security of them may be uncertain, Requiring in all cases a statement in writing of the Receipts and amounts paid out and further said Agents or committees are required forthwith to transmit to the President of this council all sums so collected or after the consultation shall meet to the President of that Body for the use and benefit of the cause of the Good People of Texas.

And be it also Resolved that R. R. Royall prst of Council, G Borden Jun J. H. Money Be and are hereby appointed to superintend the collection of all dues of a similar nature with the same powers and duties for the Other Jurisdictions not above named excepting from these resolutions all sums which may be tendered for fraudulent titles, declaring in all such cases that may hereafter be made appear the sums shall be returned with Interest.

And be it also Resolved that each committee associated with said agents be and are hereby required to Publish to the settlers in Texas under the Laws of colonization & Purchase to come forward and make payment with in the time prescribed by the Laws under such Penalties as the Laws may prescribe and further If In their Judgement the case Justifies they shall

The House then adjourned untill two o'clock P. M.

two o'clock P. M. the house met pursuant to adjournment and proceeded to business P. J. Menard offered the following resolution which was adopted

Be it Resolved that the committees of each Jurisdiction of Texas are hereby authorized to take such measures as may be necessary to forward troops on their march forwarding their acts. for payment to this council taking care to preserve duplicate accounts of all Drafts sent and be it resolved that Committees of Safety of the different Jurisdictions may commission Captains elected to command companies to contract for supplies for their Respective Companies and Draft on its council for the same taking care to accompany the first Draft with a duplicate of the commission

Signed R R Royall. Presdt

A. Huston Secty

The house adjourned till tomorrow 9 o'clock A. M.

22nd House Met and Ishued Commishons to P. J. Menard Jacob Garrett & Jos L. Hood in accordance with the Resolutions

appoint a suitable and capacitated Person to collect the same keeping a regular act. of all acts which they may do, requiring such Persons to give Bonds in the name of their Municipalities in a sufficient sum to secure the faithfull performance of the office assuring them at the same time that the General Consultation will allow them full compensation for the trouble and Great Responsibility on their hands And further the Genl Council of Texas Calls upon the Ayuntamientos and all other authorities to aid in fulfilling these resolutions.

A Houston  
Lorenza de Zavala  
Wm. Pettus  
Alexr. Thomson  
Peter J. Menard

The council met agreeable to adjournment and after some discussion the foregoing Report and Resolutions were unanimously adopted

Signed R R Royall

President of the Genl Council of Texas.

A Houston,  
Secty.

San Felipe 21st October 1835.

Archives of Texas, A file 1 No. 7.

today adopted as will be found on file marked Letter G as above entered

R R Royall President

A. Houston Secty

The council adopted the Report of the Committee on Mail Routs which is on file marked H<sup>1</sup>

Also a resolution Recommending a compromise of the difficulties between Texas and the Mexican forces which is on file marked I<sup>2</sup>

<sup>1</sup>The Committee to whom were refered the subject in regard to the establishment of Mail Routs—

Beg leave to Report that where as our country is in a deranged Situation—are armies are in the field and the immmergency of our cituation is such that all important nuse should be conveyed to the difrent parts of our country with all possible dispatch—and there being but few Routs now established—the committee are of the opinion there ought to be such Routs established as would accomplish that *End*—and would therefore offer the following Resolution.

Be it Resolved by the Genl Counsel of Texas that their be a Mail Rout established from San Felipe de Austin to San Augustine passing through the Towns of Washington and Nacogdoches and also one from San Augustine to Zavalla—and the committee would further recommend the rout now established from this place by the Way of Liberty to the U. S. to pass through all the important towns lying near the Rout—and be it further resolved that a rout be also established from this place to Velasco leading through the towns of Columbia and Brazoria

Joseph Bryan	} Committee
J L Hood	
A Houston	

Adopted Oct 19th 1835

R R Royall  
President.

A Houston  
Sect.

Archives of Texas, A file 1 No. 6.

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<sup>2</sup>On motion of Jacob Garrett

Be it Resolved by the General Council of Texas that we Recommend to the commander in chief & to the members of the consultation in camp that they use every Possible means to adjust our Present Difficulties with the Mexican Army without Bloodshed hereby approving of any arrangement made by them to produce said effect Prived in said adjustment the Military is withdrawn from our country and our Republican Principles Preserved and that our commissioners take a copy of this resolution to

The House then adjourned to 9 o'clock A. M. to morrow  
23rd the House Met pursuant to adjournment

And after due deliberation Released one of the officers Prisoners  
Capt Manuel Savanego Said Release on File marked J<sup>1</sup>

Alexander Thompson asked Leave of absence untill the first of  
Nov which was granted By the Council

The Council Received Capt Manuel Savarigos Declaration  
which is on File marked K.\* and returned those of Col Sandovals  
and ensign Garzia

The House went into a Committee of the Whole on the subject  
of Mails &c and after due deliberation on the Matter appointed  
John R. Jones as Post Master General to take charge of the affairs  
and to put them into operation as soon as may be

Signed R. R. Royall Prest

A. Houston Secty

Recd Mr. Freol's account for Blacksmiths work which was Paid  
out of the Public funds and Receipted for \$10.50

The House adjourned untill 9 o'clock A M to morrow

24th The House Met Pursuant to adjournment—

Issued Gail Borden Jun a commission (signed on 22nd Inst)

Present to the committees of safety at St. Augustine & Nacogdoches and  
that one be forwarded to the commander in chief of our forces

Signed R R Royall,  
Presdt

A. Houston, Secty

Archives of Bexar, A, file 1 No. 14.

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'San Felipe de Austin  
Oct. 23rd 1835

To All whom it may Concern this will Make known that the Genl Coun-  
cil of Texas from the Solicitation of Genl S. F. Austin Commander in  
chief and from its having been satisfactorily Proven to the council that  
Capt. Manuel Savarigo is a man of Liberal and Republican Principles  
which appears in evidence before the council by information Received of  
his former acts as well as by his own Declaration left on file in this office  
—therefore it was Resolved that the said Capt Savarigo have liberty to  
depart unmolested and that he be treated with civility by all officers en-  
gaged in the common cause of the people of Texas and the principles of  
the constitution of eighteen hundred and twenty four for which we declair.

Signed R. R. Royall  
President

A Houston

Secty.

Archives of Texas, D, file 15, No. 1464.



as collector of Public dues and instructed him to Publish that Drafts of officers of Companies accepted by the President of the Council will be received in Payment.

This day Ishued to P. H. Jack authority to obtain supplies and Guns for a small company of volunteers and Give his Receipt as Superintendant.

Monday 26th Oct The House met and Passed a Resolution granting 25 men to be added to the Company of Rangers commanded by Garrison Greenwood

R. R. Royall  
Prest

A Houston  
Secty

On Motion of Daniel Parker of Nacogdoches it was Resolved that the Genl Council address the people of the U. States making an appeal to their Philanthropy in behalf of the People of Texas whereupon the following address was unanimously adopted and ordered to be printed and circulated the above address is on file Marked M<sup>1</sup>

R. R. Royall  
Prest

A. Houston  
Secty

*To the Citizens of the United States of the North.*

The general council of all Texas, by a resolution unanimously adopted, have determined to address you in behalf of suffering Texas, and to invoke your assistance.

A few plain facts will suffice to explain to you the political condition in which we are placed, and to satisfy you that we are engaged in a contest just and honorable and one which should command universal admiration and sympathy.

Our citizens were invited to settle Texas by a government of a federal republican character, having for its model that of the government of the United States of the North. Under that invitation, and that promise of protection to our lives, persons and property, thousands emigrated here, and have subdued a vast and extended wilderness to the purposes of agriculture, and in place of the solitary region inhabited hitherto only by the savage and the beast, now present a country prosperous in the highest degree, with a population varying between sixty and one hundred thousand inhabitants, and having on its whole face inscribed one universal assurance of its future greatness and prosperity.

The House adourned till 9 oclock A. M. to morrow  
27th The House Met persuant to adjournment and proceeded  
to business

And Motion Passed a Resolution closing the Land Office stop-

Under this form of government and this invitation, thousands have brought their property to this country, and invested thousands upon thousands of dollars in land. They have expatriated themselves from their native country, torn themselves from connexions dear, given up the conveniences and luxuries of life, and encountered for years back toils and dangers and privations of every sort.

They have given security to the Mexican frontiers from Indian depredations, and made the mountains the boundary of the savage. And now, when we have accomplished all this, when we had just fairly established ourselves in peace and plenty, just brought around us our families and friends, the form of government under which we had been born and educated, and the one only to which we would have sworn allegiance, is destroyed by the usurper, Santa Anna, and a military central government established in its stead.

To this new form of government the people of Texas have refused to submit. They ground their opposition upon the facts that they have sworn to support the republican federative government of Mexico, and that their duty requires them now to stand out in opposition.

Texas was one of the units that composed the government by the national constituent congress of 1824. She was acknowledged a sovereign and independent member of the confederacy. As a sovereign member she voluntarily united in the confederacy that forms the government, and upon the breaking up of that government she has unquestionably the right to accede or to reject the new one that may be proposed.

The one now proposed is in opposition to her wishes, interests, and the education of the people. It protects only the interests of the military and the clergy, securing privileges to the one and intolerance of religion to the other. Such being its character, and our rights undoubted, the people of Texas, with one united voice, have rejected the new form of government, and have resolved to abide by their oaths to sustain the constitution. Public sentiment has already declared that Texas should be organized as a state government, under the constitution of 1824, or such other form of government as circumstances may require.

Members to a convention have already been elected, and were to have met on the 15th of the present month. The invasion of the country by General Cos has, however, thus far prevented their meeting, as nearly every member is now in the field of war. At this time our army is besieging General Cos in San Antonio, but he is hourly expecting a reinforcement, and the people of Texas want aid of their own fellow-citizens, friends, and relations, of the United States of the North.

What number of mercenary soldiers will invade our country we know

ping Surveying &c untill the session of the Consultation Said  
Peramble & Resolutions on file Marked N<sup>1</sup>

not, but this much we do know, that the whole force of the nation that can possibly be spared will be sent to Texas, and we believe we have to fight superior numbers. But one sentiment animates every bosom, and every one is determined on "victory or death."

Citizens of the United States of the North, we are but one people. Our fathers, side by side, fought the battles of the revolution. We side by side, fought the battles of the war of 1812 and 1815. We were born under the same government—taught the same political creed, and we have wandered where danger and tyranny threaten us. You are united to us by all the sacred ties that can bind one people to another. You are, many of you, our fathers and brother—among you dwell our sisters and mothers—we are aliens to you only in country; our principles both moral and political are the same—our interest is one, and we require and ask your aid, and we earnestly appeal to your patriotism and generosity. We invite you to our country—we have land in abundance, and it shall be liberally bestowed on you. We have the finest country on the face of the globe. We invite you to enjoy it with us, and we pledge to you, as we are authorized to do, the lands of Texas and the honor and faith of the people, that every volunteer in our cause shall not only justly but generously be rewarded.

The cause of Texas is plainly marked out. She will drive every Mexican soldier beyond her limits, or the people of Texas will leave before San Antonio the bones of their bodies. We will secure on a firm and solid basis our constitutional rights and privileges, or we will leave Texas a howling wilderness.

We know that right is on our side, and we are now marching to the field of battle, reiterating our fathers' motto, "to live free or die." And to the people of the United States of the North we send this assurance, that though numbers may overwhelm us, no other feeling than that of the genuine American glowed in our bosoms, and though danger and destruction await us, no friend of theirs proved recreant to his country.

Done in the council hall on the 26th day of October, 1835.

A. Houston, *Secretary.*

R. R. Royall, *President.*

Niles' Register, XLIX 234-235, reprinted from the *Red River Herald*—extra—November 6, 1835.

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'Whereas it has been represented to this body that certain individuals are taking the advantage of their countrymen, while they are in the field, in the service of their country, by procuring lands, and surveying the same, when the right justly belongs to the men who are serving the country; and whereas great injustice might be done by such a course, the council are of the opinion that all land matters ought to cease until the meeting of the consultation, at which time the matter will be properly taken into consideration; therefore,

Ordered the printing of an address to the people 500 copies  
 Authorized J. H. Blount to instruct the commissioners to cease  
 their operations in pursuance of the above Resolutions

[Here the journal ends, but the council continued its activity  
 until the 31st. On the 27th a resolution was passed authorizing  
 a loan of \$100,000;<sup>1</sup> on the 30th the report of the committee on

*Resolved*, That all the land offices be closed, until the present difficulties  
 of Texas are removed, or until the consultation meets, and acts on the  
 matter. And further, that all commissioners cease to grant orders of sur-  
 veys, and that all surveyors cease their operations in surveying, and that  
 all transactions whatever, in regard to public lands, shall cease until the  
 consultation meets and act on the subject; at the same time giving assur-  
 ance that all in the service of their country will be justly dealt by, and  
 that no advantage will be suffered to be taken of them; and that those  
 who are defending their rights and country shall have their full quantity  
 of land, as guaranteed by the colonization law.

(Signed) R. R. Royall,  
*President.*

A. Houston, *Secretary.*

*Telegraph and Texas Register*, October 31, 1835. Austin Papers, 21.

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<sup>1</sup>[The document which follows is endorsed on the reverse side, "2. Loan  
 Resolution O 27 Oct 1835." The resolution provided originally for the  
 joint agency of Thomas F. McKinney and Edmund Andrews, but subse-  
 quently a pen was drawn through those parts of the resolution which are  
 enclosed in brackets, thus leaving Andrews sole agent. On the same day,  
 however, a commission was issued to McKinney and no notice seems to  
 have been taken of Andrews.]

In meeting of the General Council of all Texas.

*Be it Resolved* that the present critical condition of Texas requires that  
 some means should be resorted to for the purpose of procuring a loan of  
 One Hundred thousand dollars and that this council on the Part and in  
 behalf of their constituents (The People of all Texas), having Great con-  
 fidence in the Integrity and capacity of their Fellow Citizen[s] Edmund  
 Andrews [and Thomas F McKinney] and therefore have appointed [them  
 or either of them to act separately or jointly] him to Repair Immediately  
 to New Orleans and proceed to Obtain a Loan of the Stated Amount of  
 One Hundred Thousand dollars for the use and benefit of the Government  
 Instituted by the Legal Representatives of the Free People of Texas and  
 to receive in the name of this Authority all donations which the Philan-  
 thropy of a Free and Magnanimous people may offer and as security for  
 the above authorized Loan we hereby appoint and constitute the said Ed-  
 mund Andrews [& Thomas F McKinney or either of them] our General  
 Agent in the City of New Orleans to Negotiate for said Loan on the best

mail routes was adopted;<sup>2</sup> and on the 31st a form was adopted for letters of marque and reprisal.<sup>3</sup>]

possible terms according to the private Instructions furnished by this Council and hereby Authorizing said General Agent to Give as security for the sum or sums Borrowed in accordance to these Resolutions such Pledge as circumstances may Require of the faith of this Government and the Public Domains in form according to the usages of the United States of the North. This General Council of all Texas now in session by virtue of their Powers [being] as the [Only] existing [Legislative and executive] Government [now in] of Texas pledge themselves and the Faith of the General Convention of Texas when assembled to Ratify confirm and Justify all acts done by our General Agent in accordance with the Foregoing Resolutions

Done in the Council Hall at San Felipe de Austin this 27th day of October 1835

Signed R R Royall  
President.

A. Houston, Secty.

Archives of Texas, A, file 1 No. 11.

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San Felipe de Austin  
October 27th 1835.

To Messrs. McKinney & Williams  
Much esteemed Sir,

In accordance with the accompanying documents you will go as early as possible to the city of New Orleans, and proceed to the discharge of the duties therein expressed.

You will receive for your private instructions to so act, as not to expose the credit of Texas until you have ascertained by indirect enquiries that your purpose can be effected, and be governed according to circumstances, not exposing the object of your Mission, in relation to a loan, unless there is a probability of success.

You will adopt such course as your good judgement may direct, in the particular method of negotiating the loan, drawing the bonds on other obligations, in such sums as the convenience of the parties may require, executing said bonds or obligations, bearing an interest of the rate of six per cent per annum, payable in installments, varying from four to fifteen years, which, however, you may be at liberty to use your discretion in the propriety of shortening, except the first payment, as circumstances may indicate.

In relation to the times of payment of interest, you will, if necessary, contract for its payment in yearly, half yearly or quarterly payments. If you find serious difficulty in effecting a loan to the full amount, you will accept of so much as you can obtain, forwarding the first amounts to this

council, or the convention if in session. And as soon as your mission is at an end, ship the money you may receive to Velasco or Quintana, previously effecting insurance on it at as low rates as it can be obtained.

In making your pledge you will be governed by the necessities of the case, whether you pledge the Public Faith, the Public Domain, or both.

This Council will limit the Price of such obligations at the rate of Eighty Dollars for each hundred, suggesting the propriety of keeping these instructions to yourself, and effect the arrangement in every particular on the best possible terms.

Signed R R Royall  
President

A Houston, Secty  
Archives of Texas, A, file 1 No. 9.

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\*The committee to whom the subject of mail routes was referred Report That during the present interesting period in the affairs of Texas facilities of communication between the different parts of the country are all important and the best interests of the people clearly require that weekly mails be established on the following routs and that they be immediately put in operation to wit.

1st From San Felipe de Austin by Whitesides' in Coles settlement Washington & Nacogdochez to San Augustine.

2nd From San Felipe by Orozimbo Columbia Brazoria & Quintana to Velasco

3 From San Augustine by Zavala to Bevils Mill

4 From San Felipe by Harrisburg & Liberty to Belems Ferry on the Sabine River, and so soon as it can be done with safety to the mail, From San Felipe de Austin to Bexar

This committee beg leave further to report that it is expedient and necessary at this time that some suitable person be by this General Council appointed to take charge of, and have the superintendence of the Post Office establishment as Post Master General and that in their opinion John Rice Jones of San Felipe is compitent and will be faithful in the discharge of the duties of said office. Whereupon it was Resolved by the General Council of Texas that having full faith and confidence in the integrity & qualification of the said John Rice Jones of San Felipe he is hereby appointed Post Master General of Texas, which appointment shall be subject to the confirmation or rejection of the convention, whose duty it shall be to appoint and commission assistants and deputies, & establish Post offices at such places as shall appear to him expedient on the post roads that are or may be established by this council or other authorized body. He shall give his assistant Postmasters & all other persons employed by him instructions relative to their duty. He shall contract with persons for carrying the mail on all post roads that are or may be established by the proper authorities. He shall require all Post masters by him appointed to account to him for all moneys they may have received for

postages up to the 31st day of December 1835 & thereafter to account to him quarterly. He shall superintend the business of the department and discharge all the duties that may be assigned to it and generally to take for his guide & the government of the Post office establishment the laws, rules, instructions, & forms of the General Post office in the United States of America.

And for the better fulfillment of the duties of his office & the furtherance of the object of this committee the said John Rice Jones is hereby authorized to open subscriptions by himself, his deputies, & such other persons as he may appoint for the purpose of obtaining contributions or loans of money to aid in carrying this project into immediate operation, which sums of money so obtained by him are to be refunded as soon as the receipts of the Post office department will enable the Post Master General to do so. And it shall be his duty to account quarterly to the ayuntamiento or other properly constituted authority for all money which he may receive from postages or otherwise.

Be it further resolved That the Post Master Genl be & he is hereby authorized to ask and demand and receive the following rates of postage upon all letters & packets transported by mail (excepting such as are hereafter excepted).

For every letter composed of a single sheet of paper conveyed any distance under 20 miles  $6\frac{1}{2}$  cents; over 20 and not exceeding 50 miles  $12\frac{1}{2}$  cents; over 50 & not exceeding 100 miles  $18\frac{1}{2}$  cents; over 100 miles and not exceeding 200 miles 25 cents; and all over 200 miles  $37\frac{1}{2}$  cents and upon all ship letters six and one-fourth cents shall be charged in addition to the above rates, which it shall be the duty of all masters of vessels to deposit in the first or nearest office on their entering within the Territory of the State. All letters or packets directed to or from the Postmaster General his assistants & deputies shall be free of postage as also all communications to or from the President & members of the Genl Council & the President of the Consultation, members and Secretary, during the time of their being engaged in transacting public business. The commander in chief of the army and all other officers thereof who may have communications to make or receive while in the public service shall be received and conveyed free of postage.

For every double letter or letter composed of two pieces of paper double the rates above mentioned, and for every packet of letters weighing one ounce quadruple those rates; and in that proportion for all greater weights.

And for the postage on newspapers published in Texas, within one hundred miles of the General Post office the Post Masters are authorized to charge & receive one cent each; and for all newspapers carried in the mail over one hundred miles or that are printed out of the State there shall [be] a postage of one & a half cents charged thereon, which post

masters are hereby authorized to require the payment of one quarter postage in advance and without such payment not to deliver the newspapers.

The postage on magazines and pamphlets shall be as follows to wit:

For each sheet carried not over 25 miles two cents.

" " " " over 25, under fifty four cents.

" " " " over 50, 64

Adopted this 30th Oct 1835.

R R Royall  
President of Council

A. Houston Secty  
Archives of Texas, A, file 1 No. 15.

Council Hall, San Felipe  
de Austin Oct 31st 1835.

This is to authorize as master ——— commanding the ——— to Cruise on the high seas and in Mexican Ports and to Capture or make prizes of All Mexican armed vessels and Mexican supplies or munitions of war, whatever while the port to which she is bound is under the Influence of the late declared form of Central Government or if the port from which she last sailed is under said Government or if papers orders or commissions are found on board of her of an official Nature emanating from said Government.

Hereby authorizing You in the name of this General Counsel of Texas— to board all vessels sailing under Mexican Colors first hailing and in all cases proceeding according to the laws of nations in such cases; and in case a refusal to have her papers examined you will treat her as an enemy according to the rules of war. You will be particular at all times to carry the flag of the Mexican Republic.

Signed R R Royall  
Presdt

A. Houston Secty  
Archives of Texas, A, file 1 No. 13.



## THE FIRST TEXAS RAILROAD.

P. BRISCOE.

The first railroad built in Texas was the Buffalo Bayou, Brazos, and Colorado, commonly called in its early days the Harrisburg railroad. With this road the writer has been familiar from near the day when its building was begun down to the present time, and perhaps the following partial history of its beginnings may not be without interest to the readers of *THE QUARTERLY*.

The first charter for a railroad from Harrisburg was granted by the fifth congress of the Republic of Texas, January 9, 1841. The name of the corporation was the Harrisburg Railroad and Trading Company; but there is evidence that the enterprise was commenced almost one year earlier under the name of the Harrisburg and Brazos Railroad. An original contract let for three thousand cross-ties dated February 28, 1840, signed by M. L. Birdsall and by A. Briscoe, proprietor of the road, is in my possession, and a copy of it is herewith given:

REPUBLIC OF TEXAS, }  
COUNTY OF HARRIS. }

This contract and agreement made and entered into this Twenty-eighth day of February, A. D. 1840, between Maurice L. Birdsall and Andrew Briscoe, proprietor of the Harrisburg and Brazos Rail Road, both of the county above-written, witnesseth: That the said Birdsall doth engage and agree, that he will take from the woods and deliver within thirty feet of the line of the said Rail Road three thousand pieces of post-oak or cedar timber in a sound state. Seven feet in length, clear of the chip or kerf, and from eight to twelve inches in diameter, hewed straight on one side, and that said timber shall be deposited five sticks or pieces to every twenty-five feet of the road; also that five hundred pieces shall be delivered within one month from the first day of March of the current year, and that the remaining Twenty-five hundred shall be delivered within four months thereafter at the discretion of the said Briscoe: In consideration of which the said Briscoe doth engage, that within ten days after the next public sale of lots

in the town of Harrisburg, or on the fifteenth day of April next, at the option of the said Birdsall, he will pay to the said Birdsall or his heirs & assigns, the value of five hundred pieces of said timber delivered as aforesaid, at the rate of fifty cents lawful money each or the equivalent thereof in the promissory notes of the government, at the option of the said Briscoe; and that if the said Birdsall should deliver more than five hundred pieces of said timber previous to said time, and if the said Briscoe should have funds in his hands belonging to the stock-holders in said Rail Road for the use of said Road, then so far as said funds shall go towards paying for said timber, the said Birdsall shall be then paid; and afterwards on the delivery of every three thousand pieces of timber by said Birdsall, the said Birdsall shall exhibit a statement of all expenses incurred by him on account of this contract, and of all monies received by him on said account; and the said Briscoe shall pay as aforesaid till the amount paid to said Birdsall shall equal the expense by him incurred, and the balance coming to said Birdsall shall be reduced to its value in the promissory notes of the government, and the said Briscoe shall give to the said Birdsall his rect. for said balance as stock in the Rail Road, for which certificates of stock shall issue when the road is vested in a chartered company or when it shall be completed to the Brazos timber; The pieces aforesaid shall be counted at the rate of fifty cents each lawful money or the equivalent thereof in the promissory notes of the government.

This agreement further witnesseth, that if the country should during the time of this contract be invaded by a foreign foe, from the time that said foe shall enter the limits of the Republic till they shall depart beyond said limits, all obligations on either party by this contract shall be suspended, and shall commence again on said departure of the enemy. Also that Andrew Briscoe aforesaid agrees that all moneys which may come into his hands on account of the Rail Road above-named, not exceeding the amount herein contemplated for this contract, shall be paid to said Birdsall, on the delivery of the timber aforesaid, (saving and excepting the sum of one thousand dollars of the promissory notes of the government, which may be needed for the purposes) till he shall be paid for said timber.

In witness whereof we have hereunto set our hands and seals: at Harrisburg the day and year first aforesaid.

M. L. BIRDSALL (seal)

A. BRISCOE (seal)

Witness—

WM. P. HARRIS

LEWIS B. HARRIS.

Wrapped up in the original contract is an order on A. Briscoe

for one hundred and fifty dollars in Texas promissory notes, dated May 8, 1840, and signed by M. L. Birdsall.

From the wording of this contract it is evident that no company had been formed and no charter obtained at that time, and that Andrew Briscoe was alone in the enterprise, no doubt, however, expecting to enlist others with him afterwards.

In the "Morning Star" (a newspaper published in Houston) for May 16, 1840, appears the following notice:

*Harrisburg and Brazos Railroad.*

It is gratifying to notice the progress made by the enterprising proprietors of this work. A large number of laborers are engaged at present in throwing up the track and preparing it for rails at an early season, and a greater number will soon be employed. The enterprise and resolution manifested by the projectors, far from exciting feelings of jealousy among the citizens of this place, call for the most unequivocal praise and emulation. The Houston and Brazos Rail Road will have very few if any interests at variance with those of the Harrisburg Road, as they are projected to terminate at points on the Brazos widely apart from each other. We wish them both the most complete success, and we have not the least doubt that in time both will attain it.

In the same paper, on various dates, appeared the following advertisement: "Wanted to hire, sixty negro men for which good wages will be given and secured, to work on the Harrisburg and Brazos Railroad. They will be taken for not less than six months, and kept two years if desired. Harrisburg, March 18th, 1840."

This was signed by A. Briscoe.

Among my early recollections is that of jumping my horse over the ditches of this grade, and seeing the ties scattered for miles along the route. I infer from the wording of the tie contract that the funds to pay for this work were expected to be largely realized from the sale of Harrisburg town lots and lands. This, no doubt, was on account of the slow sale of property and the impossibility of enlisting foreign capital because of the unsettled condition of the country. A Mexican invasion being probable at any time, the enterprise was abandoned.

In March, 1847, the Harrisburg Town Company sold and transferred all the unsold town lots and lands to Sidney Sherman, who,

after repeated trips to the North, succeeded in inducing northern capital to invest in his enterprise, which was the building of a railroad from Harrisburg westward. Of course the Harrisburg town lots and lands were used as an inducement, as after the organization of a company these lands represented fifteen hundred shares of paid up stock. A charter was applied for and obtained under the name of the Buffalo Bayou, Brazos, and Colorado Railroad, by an act of the third legislature, February 11, 1850. The company was organized June 1, 1850. The incorporators were Sidney Sherman, Hugh McLeod, John G. Todd, John Angier, Jonathan F. Barrett, E. A. Allen, Wm. M. Rice, W. A. van Alstyne, James H. Stevens, B. A. Shepherd, and W. J. Hutchins. Jonathan F. Barrett was made president, and in the early spring of 1851 John A. Williams of Boston, Mass., as locating engineer, commenced the survey near the west bank of Buffalo Bayou in the town of Harrisburg. Late in the year 1852, the first locomotive and iron were received, and track-laying commenced; and by the first of August, 1853, twenty miles were completed, and the event was celebrated by a barbecue at Staffords Point.

The first locomotive was named "General Sherman," and it weighed probably ten or twelve tons. It had one pair of screws, four and a half or five feet in diameter, with inside connections and with four ordinary track wheels in front. The tender was not apparently different from those now in use, except in size. F. A. Stearns of Massachusetts was master mechanic, and I believe the first to pull a throttle on a locomotive in Texas, if not the first west of the Mississippi River.

The "General Sherman" did the road good service. It was in use until about 1869 or 1870, and was the first locomotive to cross the Colorado River, into the town of Columbus, in the year 1867.

The second locomotive received was called the "Texas." It was not like any I have ever seen, before or since. Engine and tender were on one frame, mounted on two pairs of drivers, thirty-two or thirty-four inches in diameter, placed some sixteen or eighteen feet apart, connected outside to a rocking shaft in the center. This machine was of very little service to the road; it would move heavy loads on a straight track, but would not follow curves, ex-

cept where they were very slight. It was soon consigned to the scrap-heap, and afterwards sold to run a sawmill.

Other locomotives came later, and their names follow in the order in which they were received: "Austin," "Columbus," "Richmond," and "Harrisburg." These were not very different in appearance from the engines now in use, except that they were of much lighter weight. They comprised all that the road owned up to the time when it was sold (1868) and its name changed to the Galveston, Harrisburg and San Antonio Railroad.

About the first of December, 1855, the track was completed to the east bank of the Brazos River, opposite the town of Richmond, making thirty-two miles in all. To construct a suitable bridge over the Brazos River at that time would necessitate delay in building the road, and cost a great deal of money. The state legislature had passed several acts to assist railroad-building, one of which authorized the loan of six thousand dollars on every mile of road completed; therefore it was politic to devote all energy to adding miles of track. But the river had to be crossed, so a temporary bridge was decided on. In 1856 an ordinary pile bridge, only about six feet above the water at a low stage, was built, perhaps one hundred feet below the permanent bridge now in use, leaving an opening of fifty feet for the passage of steamboats and other vessels which occasionally navigated the river at that time. This opening was covered by one span, supported or braced by logchains underneath. A large flatboat was kept moored under the span to carry it out of place when desired. The bridge being so low, it was supposed that when a rise in the river occurred the drift would not accumulate sufficiently to do any harm until the water rose higher than the bridge and allow the drift to pass over; but this proved to be a mistake. The bridge caught the drift, which at one time threatened to form a permanent raft, the river being blocked for two or three hundred feet; and it was only after a great deal of labor, with the assistance of a steamboat that happened to come up at the time, that the raft was cleared. Then three more spans of similar construction and length were added, making an opening of about two hundred feet for the passage of drift. The spans were always floated out of place on flatboats, and moved to the bank, when a rise in the river came. On such occasions the road used

the public ferry, and frequently the bridge was out of use for weeks and sometimes for months. This bridge was approached on each side by a very steep incline, so that it was necessary for a train of any length to cross with all the speed possible in order to make the opposite hill. The bridge was used from the time it was built in 1856 or 1857, until about 1870. I remember only two accidents of any consequence on it, one in 1860, and the other in 1867. In each case, one of the spans gave way, throwing the train into the river and killing two or three men. To cross the bridge was very trying on the nerves of passengers. They were usually given the privilege of crossing on the ferry if they desired, a privilege that a great many of them accepted.

In the fall of 1859, Eagle Lake station was opened, and the following fall Alleyton, just eighty miles from Harrisburg, became the western terminus of the road. Austin was the objective point at this time; but, after some twelve or fifteen miles in the direction of La Grange had been graded, the Civil War came on and stopped all railroad building. The citizens of Columbus, fearing they would be passed by, built a branch about two and one-half miles long from Alleyton to the east bank of the Colorado opposite the town during the war. This branch was not much used until a bridge was constructed over the river and the track laid into the town. This was accomplished in 1867, when Columbus became the western terminus, and it remained such until after the road changed owners and name. The route was then directed towards San Antonio, instead of Austin, and this branch became part of the main line. Construction was then pushed until San Antonio was reached, and, after a short delay at this point, the road was continued on to El Paso, where it met the Southern Pacific from the west. After this, the road made an important link in the Southern Pacific system across the continent, which no doubt would have crossed the northern part of the State, but for the energy exerted in pushing the construction of the Galveston, Harrisburg, and San Antonio line.

The gauge adopted at the start was four feet, eight and one-half inches, which is now the standard gauge all over North America. This is a very remarkable occurrence, as at that time it was very uncertain what gauge would be established. Many roads in Texas

adopted a different gauge, and hundreds of miles of road had to be changed at an enormous expense.

The first passenger coaches used on this road were no doubt made for street cars, and probably employed as such in Boston, before they were brought to Texas. They would seat about twenty passengers each, and were mounted on four wheels. They were used but a short time, as it was difficult to keep them on the track. The last use I remember that was made of one of them was at Eagle Lake in the winter of 1859-1860. The car was placed at one end of the warehouse and used for an office and bedroom by the agent and the clerk. Michael Quin was the agent, and the writer hereof was the clerk. The roof leaked like a sieve, and the car had no heating arrangement; but by the use of tarpaulins to cover the top of it, and a ten gallon pot, confiscated out of the freight of some one, in which to build a fire, we managed to get along.

No telegraph line that could be used was constructed by the road until 1868. Prior to that date, two mixed trains, one each way, usually did the business. They had a leaving time and a meeting time and place; but beyond these they had little use for a schedule. When either train failed to reach the meeting point on time, they met at the nearest turnout or switch. This occurred very frequently. The writer served as conductor of one of the trains during the years 1866 and 1867; and he remembers meeting and passing, on one occasion, two trains of ten or fifteen cars each on a spur switch that would hold only an engine and one car.

The general office and shops were located at Harrisburg until railroad connection was made between Houston and New Orleans, but since that time Harrisburg has been virtually abandoned in favor of Houston. The offices and shops were moved, and the Harrisburg lands that played such an important part in starting and building the road were put on the market and sold for what they would bring. So the owners of the town of Harrisburg, after all their efforts and sacrifice, lost the road and their lands as well.

JOURNAL OF STEPHEN F. AUSTIN ON HIS FIRST TRIP  
TO TEXAS, 1821.<sup>1</sup>

On the 18th June 1821 started from New Orleans in the steam boat Beaver for the Province of Texas in company with Wilson late a Lieut. in U. S. army. J Beard a saddler from St. Louis, & Doctor Hewitson.

On the 20th took in — *Little* at the mouth of Red River one of my party—Arrived at Nachitoches on the 26th and found Joseph E. Seguin and Berrimandi and several other Spaniards from St. Antonio, who were waiting the arrival of my father to deliver him the confirmation of his grant from the Spanish Govt. Made an arrangement to go on with them. Purchased mules for the Trip, and other necessary articles—

On the 2d July Mr. Lovelace and par[t]y from Catahoula joined me, and on the 3d July the company all started from N. except Wilson the Spaniards and myself.

July 4, dined at Sibley; and in the evening attended a Ball.

July 5. was detained by one of the horses straying out of the way.

July 6 found the Horse that was missing and started, stayed at Capt Ivins Mo. [memorandum?] the Capt. & his man Fryday, being both drunk had a furious quarrel, and parted 11 o'clock at night—buried a dead Cat that Quin had in the chimney corner for a nosegay—(Item, *habit* even familiarises man to the smell of Carrion) Suped on half a cup miserable Coffee & 1 biscuit—Slept on the floor (a dirt floor)—

July 7 came to where the company were camped near McGuffins. & found that a mule had left them, in search of which Wilson had returned to Town[.] Spent this day in looking for the mules.

July 8. Wilson still out, Mr. John Lovelace very sick with fever—Wilson returned at night, no news of the mule—On the evening of the 8th heard of the runaway mule, & gave a Spaniard 2.50 to

<sup>1</sup>This Journal is a part of the Austin Papers, which were bequeathed to the University of Texas by Colonel Guy M. Bryan. It has never before been published.



bring him in, which he did in a few hours & no doubt had him tied out for the purpose of getting the reward—Swapped away Wilsons Horse & an old Grey (both of whom had given out) for a mule, & exchanged a french saddle for a Spanish one—

July 9. In the morning had a race of about two miles to catch the runaway mule, who outrun us all hobbled, tied head & foot & with a long Cabrass & bell on—

Mr. John Lovelace was too sick to proceed, & left us to return home to Catahoula—accompanied by<sup>1</sup>

About 10 o'clock the company started from McGuffins to wit—Edward Lovelace, Neel, Gasper—Bellew—Henry Holsten, from Catahoula—Wm. Wilson from District of Columbia late Leut. U. S. Army—James Beard from St. Louis—William Little from St. Louis—Doctor Hewitson—Irwin—and W. Smithers from Indian [Indiana?] and G. Bush from Nachitoches, the two last I employed as hunters for the company during the trip & agreed to furnish them with ammunition and let them come into the settlement on an equal footing with the other settlers—Bush furnished a horse for himself & Smithers Wilson mounted on the Black mule Beard on Bay horse, Little on brown mule, 3 mules for packs, I rode Little's horse—left Thomas at McGuffins—8 miles from McG. came to the first waters of Sabine—Smithers and Lovelace killed a deer, and we camped at Lanan creek 15 miles—

July 10—At day light this morning Mr. Barnum (one of my company who we left at Nachitoches) overtook us and communicated to me the sad tidings of my Fathers death— —this melancholy news came to Nachitoches in a letter to Dr. Sibley & Barnum stated that Sibley had forwarded letters to me which would overtake me at Camp Ripley on Sabine—I started on with a heavy heart and stoped at Camp Ripley, the Company crossed the Sabine & camped in the Province of Texas—I stayed this night at Forsythes—

July 11. I found that *Bush* was a worthless fellow and discharged him—*Smithers* agreed to remain at Forsythes—engaged 2 bushels of cold flour, & 50 lbs bacon—spent the day at Forsythes settling some business relative to Richmond—

<sup>1</sup>The names are omitted in the original.

*July 12* not receiving the letters from Nachi—I determined to return after them & started back, got to Buckers—

*July 13*, went to Nachitoches to breakfast—and found that Dr. Sibly had forwarded the papers by Erasmo—

*July 14* Started out again & overtook Don Erasmo & the other Spaniards 14 in number at the Lanan & camped with them—recd. letters from my friend Hawkins & one from Dr. Sibly and some newspapers. The unhappy intelligence of my Fathers death was confirmed beyond a doubt, he died on 10th June—

*July 15*—Arrived at Sabine—Stayed at Camp Ripley where Wilson was waiting for me.

*Monday July 16* Started from Camp Ripley and entered the Province of Texas. Stayed at Amberson's (Boreg Creek) 8 miles, the first 4 miles fine timber & poor land—we then suddenly came to a open rolling country thinly Timbered soil about the color of Spanish Browne, & in some places redder—this red land is very productive and is covered with the most luxuriant growth of Grass I ever beheld in any country, almost any of it would produce as much hay as the best meddows. the country so far is well watered.

*July 17 Tuesday* Star[t]ed on in company with Wilson, Polly, & Marple, the two last overtook me at this place & joined me for the whole route, they produced satisfactory recommendations and I accepted of them as part of the Company—stoped at Englishes 17 miles for breakfast and turned off the road to J. H. Bells. the others continued on after the company. stayed at Bells this night—

*Wednesday July 18.*

Crossed the Atouyaque River about 25 yds wide high banks & fine bottoms—overtook the company 12 miles from Nacogdoches and found that Erasmo had captured a Caviard of mules & horses which some traders were taking in from the Comanches.

*Thursday July 19.* Arrived at Nacogdoches with the Caviard prisoners. The Inhabitants of the country collected to the number of 36 by request of the Spaniards to hear what the got. wished them to do—and Erasmo informed them that it was the wish of the Spanish Got. that they should all remove to the eastern part of the province which they agreed to do, & promised to go to St

Antonio to make the necessary arrangement for their removal in Novr. next.

*July 20.* This day the council was held with the Inhabitants and Mr Dill was appointed Commandant at Nacogdoches. I started in the evening, & went out 4 miles leaving the Spaniards at Nacogdoches, after dark I was informed by Mr Barnum that a party of Americans intended to attack the Caviard and take it from the Spaniards. on receiving this information I immediately returned to Nacogdoches to aid the Spaniards to guard the Caviard. No violence was attempted and the people declared next morning they had no intention of attacking it—

The general face of the country from within 5 miles of the Sabine to Nacogdoches is gently rolling and very much resembles the Barrens of Kentucky, except that the growth of timber is larger and not so bushy—Black jack and Black Hickory, Mulbery, is the principal timber, but it [is] all too low and scruby for Rails, or building, except on the Creeks where the timber is very good and lofty— the grass is more abundant and of a ranker and more luxuriant growth than I have ever seen before in any country and is indicative of a strong rich soil, the appearance of the Corn through the country proves to me beyond a doubt that the red soil is nearly if not quite as good as the black The soil generally is very red, the richest is a pure Spanish Brown—

This country is tolerably well watered—though springs are not so abundant as I could wish—the creeks are numerous and the water very pure and limpid—no appearance of Rock or Stone except a soft argillacious Rock at [Nacogdoches?].

Nacogdoches is now the ruins of a [once] flourishing little village. the church and Seven Houses are still standing entire one of them two story high built of soft Rock— it was the seat of the Indian trade and a great deal of business was formerly done here. the situation is a vally. a creek runs on each side of the town.

*July 21* Started in Company with the Spaniards and came on 12 miles to a fine runing Creek, where two families had settled—this is the last habitation to Bexar this country this day was heavier timberd some pine, land more rolling and sandy—large rich bottoms on the banks and good pasturage on the upland.

*July 22d.* Started late. Don Erasmo was taken sick yester-

day with fever & complained very much this morning Seven miles passed a running Creek good bottoms two miles further crossed the Yauhaline River— this is a branch of the Naches and receives the Atouyaque & a number of other Creeks[.] the bottoms are wide, but overflow[.] three miles further came to a beautiful running Creek with wide rich bottoms well timbered where we overtook some of my men who I sent out in the morning to hunt. they had one deer at camp and wounded 4 [more] Don Erasmo was too unwell to go on and we camped for the day & turned out to hunt—but killed no deer

*July 23* Started late Don Erasmo still unwell. stopped at Mount Prairie 9 miles— The country this day was very similar to that we passed yesterday, except that the timber is rather more scrubby, interspersed with handsome smooth Prairies, tolerably well watered with small creeks, and some fine Springs the soil generally 2nd rate, on the branches rich bottoms and heavy timber. Oak Hickory, Elm and some black walnut—very little undergrowth—

*July 24* Don Erasmo very sick with fever, took an emetic, Barre and Beard also quite unwell— remained here the whole day the party washed their clothes and in the evening turned out to hunt. Killed one deer. The country for 4 miles round this place, which was as far as the hunters went was good some tracts of first rate and the balance good 2nd rate land. they found several good springs— this place takes the name of Mount Prairie from a mound which stands at the edge of it— .

*July 25.* Started early—two miles came to the forks of the road— the right hand goes to the Comanches & a part of the company took the Comanche road by mistake & I sent a Spaniard after them, they went 4 miles on that road 2 Miles further came to the River *Naches*— This River is about 30 yds wide— It affords tolerable keel Boat navigation from the mouth of the Atouyaque down, & mouths in Sabine Bay. The bottoms on this River are generally liable to overflow, but it affords some large bodies of rich uplands the timber is generally good, after crossing the Naches passed a fine body of rich land for about 3 miles, after that the country became broken, poor pine ridges for 3 miles to a clear running Spring branch where there was a small body of

good land, after which pine ridges for about 5 miles, & the country then becomes level and very much resembled the barrens of Kentucky, interspersed with small level Prairies. timber very low and scrubby, soil generally 2d rate, water very scarce, 12 miles from the last Spring branch to the next water, a Small branch nearly dry, where we encamped for the night, came about 20 miles this day. Erasmo better. Barre & Beard both sick. Bellew took the Comanche road in company with the two Spaniards who also took it by mistake

July 26 Started late this morning owing to absence of Barnam's Horse & Don Ferdinand the Drs[.] came on 10 miles, to Creek where we found water standing in holes badly flavored & very warm— took dinner of dried Buffaloe meat & cold flour.

Met two parties from La Bahia who informed us that they saw three fresh corps on the road, one Spaniard & two Americans and saw where one more had been lately buried Supposed to have been killed by Indians— they also stated that the Indians came into the very Town of St Antonio and killed men & stole Horses & mules, and that the people were in a very distressed situation— there were two women within this party who Spoke English— Mr Lovelace went out a hunting & killed one Deer & a fawn

Started again at 2 oclock & came to the Trinity River, 13 miles were benighted and had some difficulty in getting through the bottom

The Spaniards and Mr Lovelace & party did not get to the River & encamped in a Prairie without water— I got over about 10 oclk at night with my packs and 13 men and encampd on the western bank in the edge of a large Prairie—

about 6 miles back a large trail came into the road and went on the same direction we were going, in consequence of which we began this night to watch, and herd the Horses,—we finished supper at 11 oclk, & I took the first watch untill 12— in Dr H's watch between 2 & 3 he saw several Indians & other alarming things, and soo roused the Camp. some of the party distinctly saw them mounted on White Horses, & the Dr and B presented arms to fire at one of them, but I stopped them, this alarm prevented our sleeping for the balance of the night—in the morning we discovered the Indians firmly fixed in the ground in the form

of a stump & some Roots of trees that had been blown up— at day light some of the party went hunting, others fishing, & I tryed to make up some lost time in sleeping—

The Spaniards & Lovelace came up about 9 o'clk, no news of bellew and the other Spaniards, and we concluded to go on to the forks of the road about 5 miles ahead and wate for them— the Spaniards went on & I remained & took dinner of Turkey & venison soup and started about 12 oclk.

Fryday July 27.

The Trinity River is about 100 yds wide from the top of one bank to the top of the other. the banks are very steep & about 40 ft high—the water at this time is uncommonly low & is about 15 yds. wide 2 feet deep & a lively current— the bed of the River including sand bars is 40 yds. the water at this time is very clear, but a little brackish and unpalative—the bottom hard gravel the banks whitish Clay—Iron Pyrites in abundance with the gravil—& some detached masses of soft sand stone— the bottoms of this river are very wide and where we crossed there is a large smooth Prairie on each side, covered with the highest and thickest growth of grass I ever saw— the grass is coarse & very much resembles sugar cane the soil in the bottoms is deep & a jet black— This River rises at times from 55 to 60 feet and overflows all its bottoms & forms a sheet of water from Hill to Hill—more resembling a lake than a River— there is a large Prairie on west side extending about 2 miles to the high land where Col. Peros encamped. at this place there formerly was a Spanish Post. the situation is very beautiful and commanding on a smooth knoll which rises at the edge of the Prairie—Paros left a part of his men and 4 pieces of Artillery at this place when he went out against Long. At this old encampment the roads fork, the left goes to La Bahia, the right which we took to St Antonio, 2 miles further overtook the Spaniards who passed us while at dinner at Trinity and came on 2 miles further where finding water we stoped for the night, Barre & Beard being too sick to go in the hot sun which was very oppressive today—

The country from the low ground of the Trinity out so far is open—poor dry Barrens, covered with fine grass, and a good deal of low scrubby oak bushes— The Spaniards came on about 3 oclk & continued on to the next water.

Beard took an Emetic. Barre very sick with the fever and Wilson quite unwell with a headache and severe cold. in the afternoon several turned out to hunt, and Little found a Bee tree, which afforded about  $1\frac{1}{2}$  gallons honey—heavy rain in night.

*Saturday July 28.* The sick were much better this morning, and we made a pretty good start and came on 12 miles where the Spaniards were camped and a heavy cloud appearing we stoped & pitched Tents— the rain was very heavy and we remained here the balance of the day— Mr Polly killed a fine Buck this morning and Little killed a small Buck in the evening so that we lived on fresh venison & Honey this day

The country these 12 miles is open Barrens and only wanted the lime stone to make it a perfect picture of the Barrens of Ky. the soil rather thin, of a dark colour mixed with sand badly watered & Timbered

Barnum & the Dr had a *Skirmish* about a ramrod

Sunday, July 29.

came on 6 miles to a Creek, water standing in holes—small Prairies.

10 miles further to the Navisot River a branch of Brassas, clear running water, well tasted—extensive swamps in bottoms with ponds. timber oak hickory Pecan. Item found a human Scull—camped at Navisot—

Monday July 30—Started early. Barnum & Neel went on ahead to hunt—they were cautioned not loose sight of the road, neither of them being good wood men— 6 miles came to a beautiful Creek of pure running water called Corpus Christi—fine bottoms covered with heavy timber a good deal of Cedar, very large—from Navisot to this place the country is principally prairie very beautiful. soil good, but a [bit] gravelly in places—

came on 8 miles further & stoped at a hole of water in the edge of the Prairie. Neel came in with a faun, & said that Barnum was within hearing of the Bells at camp soon after that we heard him shout and expected him in every moment.

The Country from Corpus to this place is very handsome, rolling Prairies, intersected by dreans in most of which water was standing in holes. timber rather scarce, but sufficient— after Dinner Barnum not coming in we concluded he must be lost, and

nearly the whole company turned out to hunt him— at night we all returned to camp. no news of Barnum— Bellew overtook us this day from the Comanche trail

Tuesday July 31 This day was spent in hunting Barnum. Lovelace & self took a tour to the South East and I killed a Buck & L—— a Buffaloe about 12 miles from camp— got back some time after night to camp no news of Barnum—

The country we travelled over this day is very good, rolling Prairie black soil, sufficiently timbered. running water scarce, but abundance in the holes of branches—

Wednesday Augt. 1— Our water hole was exhausted & we were obliged to proceed & accordingly started and crossed the Brassos River and encamped on a beautifull eminence in the edge of an extensive Prairie, 2 miles from Brassos— The Country from last camp to this one is very good, rolling Prairie, sufficient timber—soil generally good—parts inclined to be gravelly— Brassos bottoms at this place 4 miles on the west side. overflows in extreem high water— a large dry Creek at beginning of bottom—land exactly like Red River same colour & texture & timber the River is about the size of Red River at Nachitoches— Banks very high the bottom smooth Rock. water about 4 feet deep and 80 yds wide—the land raises on the west side from the bank to the Prairie— water a little brackish tho much better than Red River. (Navigation.)

Thursday Augt. 2

I could not feel satisfied with myself without making another effort to find Barnum & accordingly this morning I went back in search of him, accompanied by Mr Wilson, Marple, Polly & 1 Spaniard we steared S. E & S. S E [.] after ten crossing the river—8 miles thence N. E & N—until night. country near the River very good. out 8 miles hilly Postoak—scarce of water—campd this night without water—mustangs good

Fryday July 3. started early steared N. N. W—and soon struck the large Prairies. stoped at a hole of water in Prairie & took breakfast— Buffaloe at a distance—Deer abundant—Steared N. W. & struck the road about 10 miles from the River & came on to camp at night where we found Barnum

He struck the River about 12 miles below the road, tied his



horse and came up on foot under the bank until he came to the road, eat nothing for 4 days—very much fatigued & his feet scratched & inflamed & blistered was lost 4 days— sent 2 Spds for horse

Saturday Augt. 4— This morning we started all together once more, the strays all up— 6 miles the Nunas a beautifull clear runing Creek of pure lyme stone water. 7 miles a clear runing Creek Angeline 6 miles another runing Creek ulmo 4 miles another Creek—Ailes The country on these Creeks is very good—rolling Prairie—sufficient timber. good water soil black & generally very rich—killed a Buffaloe. Higginbottom [*sic*].

Sunday Augt. 5th. Buffaloe was plenty & all hands turned out hunting, but the Spaniards run them off & we only killed a Bull. I killed a fat Buck—

Monday Augt. 6. came on to the Yagua, 6 miles R. W. land good 15 miles further to Agua Dulce land not so good, rolling, post oak.

Tuesday Augt 7 came to the Colorado River 10 miles. poor gravelly ridges and near the river heavy pine timber, grapes in immense quantities on low vines, red, large, & well flavored, good for Red wine The C. R is something less than the Brassos banks very high—generally clear of overflow—bottom and banks gravelly. water very clear and well tasted, current brisk the river very much resembles Cumberland River, except that there are no rocks & it is some larger—

The bottom where the road crosses is about 5 miles, mostly high prairie clear of overflow, land rich, timber Pecan, Ash, Oak, Cedar, abundance of fish.

There is a small hill 2 miles above the road out of which Dn Era [Don Erasmo] informed me smoke & sparks issued— there is a very rich silver mine up this River on the St Saber, also a gold dust mine on the Yana [Llano] the country up this river is very good but scarce of timber

Wednesday Augt. 8 came on to Cedar Creek 8 miles—country generally poor & gravelly. abundance of cedar on this creek very large good water—Post oak wood— 10 miles further to a Creek in the Barrens— no water, weather hot & we travelled until 10 oclk at night. country poor & gravelly

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Thursday Augt 9 In the morning we found water in a hole 300 yds above the road where we took supper & breakfast together— came on about a mile & found plenty of water on the left of the road— the Spds were in the lead & took a mustang road & went 3 or 4 miles out of road came to St Marcus River 20 miles Country beautifully rolling, soil very black & rich not much sandy—very gravelly, round pebble & flint, no timber, Muskete bushes & grass 8 miles from St M. there is a Creek called Los Ulmos, between which & the River there is an extensive rich prairie and with some timber adjoining & on the Creek— the River very clear pure water, but 9 miles to the head of it, where it breaks out in 3 Springs and forms the river at once— fall very great. Current rapid— by taking out the water high up and leading it in cannals the up lands on both banks might be watered.

Friday 10th. came on to the Guadalupe River—country the most beautiful I ever saw—rolling Prairies—soil very black and deep—mixed with flint pebbles—from the size of a hazlenut to a man's head, no timber but Muskete except on the branches & not much there—soft white lime stone rock, water scarce but very good— the soil cracks badly in many places where it is not sandy—is very stiff— The Guadalupe is a beautiful bold stream of perfectly clear lime stone water, banks very high. There was formerly a Stockade fort at this place and at St Marcus—

Saturday 11— came on to the Paredona Creek, 16 miles and camped, country the same as yesterday—except being more hilly. there is a high ridge near the Guadalupe which I was informed is well timbered— Guade. river has a very great fall and rapid Current also the St. Marcus—the latter fine for mills—

Sunday 12 This morning at daylight three men who had been dispatched from the Gal. [Guadalupe?] by Erasmo to St Ao. returned with others & brought the glorious news of the Independence of Mexico— the Spaniards hailed this news with acclamations of "viva Independencia" and every other demonstration of joy— Erasmo invited us to breakfast with him on various Spanish dishes sent out by their wives and started in high spirits and arrived at St. Antonio about 11 ock

Remd at Bexar untill the 21— purchased mustangs— mustang hunting &c— Indians killed 1. wounded 1 Sp.

Bexar

*From Bexar*

*Tuesday Augt. 21—* Started from Bexar, came to St. Juan, sand—valley—missions—cannibals—River—Springs—irrigating—Bn. de Br. [Baron de Bastrop]—Govr. his Lt. & Ch. Erasmo & Lt Berrimindi—cooking—kings cavalliard

*Wednesday 22.* came to ranchos de las arrochas a Creek, not runing but good water in a hole—country rolling, land generally rich, rather more sandy than near Bexar— in the afternoon the hunters turned out hunting, but killed nothing, and as we got no meat at St. Ao. we had but bread and coffee—

In the evening the head chief of the Tankawas and 3 other chiefs and 4 men and 10 squaws came to camp on their way to Bexar, the chief was called Gocoso— I had a talk with him, smoked and gave him some tobacco, informed him of my intended settlement which pleased him, & he sent on two of his sons next day with me to his town to inform his nation who we were and our objects &c—

*Thursday 23* came on about 12 miles and turned out of the road about 1 mile and encamped on the River, banks 50 feet high country beautifully rolling less brush—no gravel, and more sandy—

*Fryday 24* started very early, about 7 oclck we were met by the chief from Tankawa village (which was about 4 miles to the left of road) and a number of Indians—they are great beggars, & wanted Tobacco. I gave the chief a piece, and moved on, which displeased him very much, as he wanted me to halt the company and smoke with them they dogged us on ten miles begging

stoped at St Bartolimy a large runing creek of good water, on which the Indians live—land very good no Timber started again at 3 and came on to alamito 12 miles making about 25 miles for this days journey

*Saturday 25.* made an early start, passed a fine stream of runing water. came on to Cabeza a Creek of runing water, about 20 miles—and within 6 miles of labaddie— the country is more beautiful than near Bexar—the land generally first rate but very sandy in places not to much muskite & under brush—~~water~~ scarce—had an alarm in the night with Horses—the land adjoining the river is very rich and lays beautifully—

*Sunday 26* Arrived at La Bahia.

This place is beautifully situated on an eminence, immediately on the bank of the St Antonio River. the surrounding country is rolling prairie, land rather sandy but produces well, might all be watered from the River— Town in a state of ruin, owing to the Shock it recd in the revolution and subsequent Indian depredations— the Inhabitants have a few cattle and horses & raise some corn. there is however a very considerable trade through this town from Nachitoches to the coast and money is tolerably plenty—

The Spaniards live poorly, have but little furniture or rather none at all in their houses— no knives, eat with forks & spoons and their fingers—

Monday 27. presented my letters to the alcalde from the Govr. which contained an order to furnish me with *guides* to explore the country, in the evening I was informed that the only guides to be relied on were Two Soldiers and they could not be had without an order from the Govr— this made it necessary to send to Bexar to the Govr. and it being so important to have guides I concluded to wate the return of the express which the Alcalde dispatched immediately.

Tuesday 28. because acquainted with Senr. Jose Valdes and curé of the Parish a very gentlemanly and liberal minded man and a great friend of the Americans. he expressed a wish to be appointed the Curé of my new settlement The father at St Antonio had expressed the same wish,

Wednesday 29. I concluded to send in the loose horses and rules belonging to the Company amounting to upwards of 60 and accordingly selected 6 of the Company to return with them. I spent this day in writing to the U. S.

Thursday 30. This day I also spent in writing and fitting off the company for Nachitoches,

Fryday 31. This morning the company for Nachitoches started The mail also arrived from Bexar and I recd an official letter from the Govr appointing me Civil Commandant of the new settlement—I also recd a letter from the Baron de Bastrop—

Saturday Sepr. 1— In the evening the courier arrived from Bexar, and the Govr wrote to the alcalde that he could not spare

any soldiers I then concluded to take the Spd. who the Alcalde had selected

Sunday Sept. 2d. This [day] I started all the company, and remained myself to come out with the Spad— in the evening engaged three Indians of the Haranames tribe as pilots—these Indians were collected at an old mission half a mile out of town and placed under the care of a Priest whose consent it was necessary to obtain before they cd. be had—

Monday 3d. owing to the delay of the Spad in getting of[f] did not start until near the middle of day—had to pay him \$10 in advance & promise a Dollar a day— came out 4 miles to a Creek where the company encamped—clear runing water, land good but rather sandy— in the afternoon came on 12 miles to the Colato Creek a large bold stream of clear runing water land generally good, in some places too sandy, considerable quantity of oak timber— heavy rain in the evening & night

Tuesday 4. Turned off the road. came on to the Guadalupe river. 12 miles. Prairie gently rolling land generally good, near the river very good, wide bottoms heavy timber of oak, Pecan, &c stoped in the edge of the Prairie on the East side of the River & took dinner—cloudy & windy— In the afternoon I directed the Pilots to stear for the old mission on the lake that the Guadalupe and St Antonio Rivers empty into—and accordingly we left the road and took a S S E course encamped on the Bank of the Guadalupe 3 miles from the road and Deer being plenty some of the party went a hunting & some a fishing. The hunters brought in a fat Buck & the fishermen two fine soft shell turtles & one fish— the Turtles, were very fat and made good soup with no other seasoning but salt & pepper— the water of the river is very clear and pure, and well tasted—fish appear plenty tho we caught but one—

the land is good and lays beautifully after leaving the river bottom there is a rise of about 50 feet, after which is level smooth Prairie as far as the eye can reach—

Wednesday Sept. 5. continued on a SSE direction down the river, and immediately on the bluff which is from 40 to 50 feet high— the bottoms are very wide, and heavy timber—land rich, back from the bluff level smooth Prairie as far as the eye could

reach—Deer very & mustang horses very plenty saw at least 400 of the former & 150 of the latter, one mustang colt that got separated from the gang came on with us, some of the Horses are very good and would sell from [\$]100 to [\$]200 in La. stoped on a pond in the river bottom took dinner, water a little brackish Alligators plenty,—& very mirey

In the afternoon came on about 8 miles to a Spring branch of very good water, tho there was not much of it, barely creeping through the grass here we encamped for the night. Land & country the same—

Thursday 6—came on about 5 miles and struck a large lake in the River bottom of good sweet water, high banks, and hard bottom. found an old Karanqua encampment on the bank of the lake apparently a month old— this lake is about 4 miles long &  $\frac{1}{2}$  wide. two miles below is another lake longer than the first which are connected by a narrow channel—on this lake we stoped for dinner at a large Karanqua encampment, about 3 weeks old— In the afternoon at the bottom of this lake we came to the head of Matagorda Bay, & the mouths of the Guadalupe & St Antonio rivers— The Bay has a beautifull appearance—on the east side the land is high, say 25 feet above the water and form an immense prairie as far as the eye could reach—on the west side there is a strip of, high timber, just discernable— the Guadalupe & St Antonio rivers empty into this Bay

The head of the Bay on the east side is a beautiful situation for a Town, the land is all first rate, but too level, there is no timber except on the river, there is an extensive Cypress Swamp on the river, and heavy pecan & oak timber

found another Karanqua encamp at which was a small Anchor & a quantity of large iron spikes, and seven [?] Alligator heads and the skins of Alligator Gars These Indians live principally on fish and eat *all kinds*, Alligators &c&c—

Fryday 7. This morning I directed the guide to steer the nearest course to old La Badee, he struck due east, after traveling about 15 miles on this course over level prairie we came to the sea coast, which run N.E. followed it about 5 miles and came to an inlet which we headed about  $1\frac{1}{2}$  miles round and struck a fresh Indian trail apparently one day old, followed it & near sun down

came to a small hole of stagnant water, which tho very bad and offensive to taste and smell we drank with avidity, it being the first we had met with during the day we camped here for the night and one of the Indians went to the sea there distant one mile & brought up a plank, apparently part of a Kentucky boat which had drifted from the mouth of Mississippi—with which we made a little fire to cook with, there being no timber or even twigs growing in the Prairie— the Indian reported that he saw fresh mockasin tracks on the shore I thought it best to tie up our horses and guard them

Saturday 8th Started early without breakfast and struck the Sea Shore in about 2 miles at a Karanqua encampment found an old copper Stew pan— followed the coast about 2 miles and came to an inlet which was impassable, followed it to its head near 6 miles due west, from this steared north to gain the high prairie and soon came to another inlet which we steared west to head. by this time I found that our guide knew no more of the country than we did & therefore continued due north to gain the high Prairies once more, struck 3 more inlets which took us to the west and about 2 oclk came to a fine hole of fresh water at the head of one of the inlets, the first we had met with this day. halted here for breakfast & Dinner, & encamped for the night, the country a dead level—and after leaving the sea Shore about 4 miles the land a Stiff black soil very sticky and mirey in wet weather and hard in dry—cracks badly.

Sunday 9 came on due north abt. 8 miles and struck another inlet which took us 2 miles to the west to head—good runing water at the head of it—4 miles further another Creek of runing water where we stoped for dinner— in the afternoon struck N.W and encamped on a Creek which run into the Bay on which old Labaddie formerly stood— showery

Monday 10 In the morning sent out the men hunting and I went with the Spaniard and one man to examine the site of old Labaddie— came to the bay 2 miles from Camp at the mouth of the Creek we were encamped on & found that the old town was still further to the East

The Bay had a very handsome appearance, and I think was about 5 miles wide. it bore to the S. W. towards the sea— at

the head of this Bay which turned East a large Creek of good water puts in on which was established old Labaddie on the Creek there is good timber tho not plenty— This harbour is said to be the best on the Coast tho it is exposed owing to the bank being so low—the depth of water is stated to be 11 to 12 feet over the bar & . . . in the bay— the banks are about 20 feet high on the bay where I was & come bluff to the water— the head of this Bay is fresh water like the head of Matagorda Bay, where the old town was the Spaniard informed me the banks were a little higher—

The whole country round this Bay is a dead level Prairie, not a bush growing, soil a deep black & in wet weather will mire a horse almost any where. in dry weather cracks open so that a horses foot would go into them, it is however very much cut up with dreans & Creeks of good running water. the marks of the Surf was about 5 feet below the top of the bank, tho the Spaniard informed me it sometimes broke entirely over it and drowned the Prairie— If the country was rolling & timbered this Bay could afford a most beautifull site for a commercial town finding that neither the Spaniard or Indians knew anything of the Country, and our provisions being short and no game to be found I determined to strike for the road and discharge all the guides. two of the Indians preferred going strait in and steard for the Guadalupe—the other Indian & Spaniard started with us

We steared up the Creek encamped nearly due west & were obliged to follow it to its head before we cd cross, so steep were the banks & mirey bottom, after crossing it steared N. W. to the head of a branch of the same Creek, at this Creek the Spaniard & Indian fell behind & left me without saying a word of their intention to do so— we continued N. N. W to the head of another branch of the same Creek and encamped for the night— when we stoped there was no appearance of rain & we did not pitch our tents for which we paid dearly in the night, for it rained pritty steady all night and we were completely soaked & passed a sleepless night—

*Tuesday 12* [sic] Started very early before breakfast (there being nothing but a little willow where we were and steared N. N. W. about 12 miles and struck a large Creek well timbered where



deer were plenty Stopped and dried our blankets &c. and turned out a hunting, in the evening the hunters returned with 5 Deer, which we put to drying

The country from *Runaway* Creek (where the Sp. & In. left us) to this place is much like the rest of it on the Coast—the first part black stiff soil very deep, near the big Creek (which I presume is the one called Garcia) the Prairie becomes rolling & very sandy in places too much so for cultivation—the water in all the Creeks is very clear and good

Wednesday 12 Spent the morning in drying our meat. Mr. Lovelace killed a fat Buck—and we spent the day in drying meat and laid in a stock sufficient for 10 days—marked my name & date on a tree, and named the Creek *Benado* from the great quantity of deer—

This is a beautiful Creek of as good water as ever ran from the Earth, and sufficiently large for mills

The land on [it] is pritty good tho rather sandy. Timber plenty—

Thursday 13. Started early from Benado Creek, and continued a due north course, passed several branches of the same Creek, post oak timber—Prairie only good in some places—becomes more rolling— about 12 ock struck the road 5 miles from the Garcia Creek—

The Garcia is bold runing stream of clear good water, sandy bottoms abundance of Post oak—land adjoining rather sandy and in places very poor being a perfect sand bank. Stopped for dinner

In the afternoon went on 4 miles to a large bold runing Creek very clear & good water land between the two Creeks nearly all first rate, & plenty of timber—

Memo. at the mouth of the Garcia the old town of Labaddie was established. this is the place I spent so many days in trying to find

Fryday 14. came on to the Baca a large clear creek— about 7 miles— land sandy— plenty of post oak<sup>1</sup> . . .

Saturday 15 came on to the Colorado River— land is better & con[tinued along] the River . . . 8 miles— all first rate

<sup>1</sup>From this point the Journal is in many places illegible. Omissions from such cause will be thus indicated by leaders.

[land] the Colorado bottoms are very wide— rich Prairie & timbered land, timber very heavy— Pecan oak Cotton woods black . . . On our arrival at the [ri]ver it was dark . . . could not get over without getting wet & as it was too late to look for a new ford we encamped on the beach . . .

Sunday 16 in the [morning found] a new ford little below and got over [While] crossing 4 Bedi [?] Indians from the River Trinity came up from whom [we] got some fresh dried Buffalo meat Irwin was too unwell to start— the whole [party thought it?] more prudent to send him in directly to the settlements and accordingly started him and Jeff [?] Polly Stopped at a little Creek at the edge of the Prairie for dinner & then struck down the river a S S E & S E direction— the land on this side the river is very good and just below the road the Prairie goes bluff to the River— The Timber is all good and abundance of it— Continued on down the river just out side the timber about 10 miles and struck a large lake in the bottom— turned to the left and encamped on a small Creek that runs into the head of the Lake— The land so far is all first rate and lays beautifully and is well timbered—

As we were going round the lake we heard something on the opposite side which very much resembled the bark of dogs & we also saw 3 Horses running at a distance ahead of us which we suspected from the manner in which they went off were not mustangs tho' the distance was too great to distinguish whether men were on them or not— these circumstances induced us to tie up our Horses close round us and keep watch

Monday 17 started early and continued a S. E. course along the Lake— at the lower end the Indian war whoop was raised from . . . and I immediately . . . descried an Indian coming towards me, who beckoned me to [stop] & made signs of Friendship [He] advanced towards me into [the] Prairie and was followed at a short distance by 14 warriors [I] advanced about 20 yds ahead of [my] company directing them to be prepared for battle if necessary . . . Chief asked me in Spanish [where I] was from and where going [I informed] him, . . . he said they were Coacos . . . who I knew lived with the Karankawas . . . this induced me to watch them closely and

refused to go to their camp or to permit them to go up to the men, untill one of the chiefs laid down his arms and five squaws and a Boy came up to me from their camp— this satisfied me they believed us to be too strong for them and therefore that they wd. not attack us (of their disposition to do so I had no doubt, if they thought they cd. have succeeded) some of the warriors then went up to the [men] and appeared friendly, I gave the chief some Tobacco and a frying Pan that we did not want and parted apparently good friends— there was 15 warriors in the group . . . the chief informed me that they were going to encamp on the road to trade with the Spaniards & Americans— he said we cd. not reach the mouth of the river with Horses owing to the thickets he also said that there was a large body of Karanquas at the mouth

These Indians were well formed and apparently very active and athletic men, their Bows were about  $5\frac{1}{2}$  to 6 ft long, their arrows 2 to 3 well pointed with Iron or Steel [Some] of the young squaws were handsome & one of them quite pretty— they had Panther skins around their waist painted, which extended down to the knee & calf of the leg— above the waist tho. they were naked— their breasts were marked or tatooed in circles of black beginning with a small circle at the nipple and enlarging as the breast swelled

These Indians and the Karanquas may be called universal enemies to man—they killed of all nations that came in their power, and frequently feast on the bodies of their victims— the [approach of] an American population will be the signal of their extermination for there will be no way of subduing them but extermination . . .

After leaving these savages we continued on our course S. E. down the River 10 miles and stoped at a hole of water in the Prairie— the land from the Lake down was not so good Prairie very level & sandy— ahead of us in sight was a very thick timber intersecting the river timber nearly at right angles and extending out in . . .

Tuesday 18 made an early start . . . four miles . . . timber oak Pecan . . . 5 miles further a very large bold running Creek . . . land first rate . . . miles further

crossed another Creek, heavy timber— rich black soil— good water—and encamped on a small branch at a [hole] of water— this branch appeared [to] run into a la[rge creek which] lay in front of us and appeared to run W. S. South [*sic*], land all the richest kind of black soil very deep. Yellow Clay found . . . Saw three gangs of mustangs in one of which was 2 mules— the timber on these Creeks is very good and in abundance

Wednesday 19 Mr Lovelace [went hunting] & killed the fat-test Buck I ever saw in my life and we started about 9 oclock continued a north course along the large body of timber which lay to our right, and which from its extent we began to think was the Brassos River— Prairies of the richest kind of black sandy land, intersected by branches and Creeks of excellent water— heavily timbered, beautifully rolling— in the afternoon stoped at a small Pond in the edge of the bottom and one of the men went in to the River which proved to be the Brassos

The bottom about  $1\frac{1}{2}$  miles wide— very heavy timbered— no appearance of overflow.

Thursday 20 Started from the Pond & came on about 4 miles and struck the Tuscasite or oppelou[sas] road, turned along it to the River & we concluded to divide the company. Mr Lovelace and 3 others went up on the west side & I crossed with 4 others to examine the country on the east side, agreeing to meet at the Labaddie road.

The Prairie comes bluff to the river just below the Tuscasite road, and affords a most beautifull situation for a Town or settlement— The bluff is about 60 feet high—

The country back of this place and below for about 15 miles (as far as we went) is as good in every respect as man could wish for, Land all first rate, plenty of timber, fine water—beautifully rolling— we calculated that we were within 12 or 15 miles of the Coast.

The river was humming[?] & raising fast we therefore built a raft, loaded our things and one of the company who could not swim on it, and swam over pushing the raft before us, in this way all crossed safely, took dinner [on] the bank and entered the bottom. The trace was a very old and blind one, the bottom (which was about 6 miles through) most of the way a heavy cane break,

we therefore had great difficulty in following the road and getting through Caves & vines & did not reach the Prairie before night—just before dark after we had almost despaired of getting through that day struck the Prairie at a delightful clear running spring Creek where we encamped for the night—

*Fryday 21*, made an early start & continued on a north course, the land adjoining the river bottom is rolling Prairie, intersected by small streams of runing water, land of the first kind of black sandy soil. In about 3 miles the land became rather more sandy though very good and abundantly watered & timbered up to the road, which we struck about 4 oclk and encamped on a clear running spring branch about 4 miles from the river— to the east of where we struck the Prairie there is a large Creek, distant about six miles from the river heavy timbered & good land— saw abundance of mustang signs.

3 or 4 miles below the labaddie road there are two small traces which probably go to Oppelousas— *Saturday 22d*. About 11 o'clk Mr Lovelace and his party came up, they had to swim the river— they reported that the Country they came over was superior to any thing they had seen before in the Province, they found two fine springs that broke out from under a sand rock, crossed a number of fine runing Creeks all good water and many of them large enough for mills, abundance of timber, and land all first rate and very rolling— the River bottom about 2 miles wide heavy timbered no overflow— the range of rich land on the west side is about 150 miles in length and generally extends from one river to the other, on the St. Antonio it is the same, 25 miles above one of our company (Higginbottom) had been through & he said it was the same & two of the company H— & Barr had crossed it at the Wacoe village 60 or 70 miles further up and it was the same there only rather more rolling & plenty of mill seats—saw several Bear and plenty of sign—near the mouth of Brassos there are plenty of wild cattle. we saw abundance of cattle.<sup>1</sup>

<sup>1</sup>Here the Journal breaks off. Austin returned to Louisiana and made immediate preparation to establish a colony in Texas. He reached Texas again with his first small party of immigrants in December, 1821.—E. C. B.

## CONCERNING PHILIP NOLAN.

[Philip Nolan, as the leader of the first Anglo-American invasion of Texas, is a historical character of considerable interest. Very little is known of him, and the following letters add a small fraction to what has hitherto been published. The originals are in the library of the Department of State at Washington. The copying was supervised and verified by Professor A. C. McLaughlin, head of the Bureau of Historical Research of the Carnegie Institution, and his valuable services are gratefully acknowledged. Parts of the letters might have been omitted as not referring to Nolan, but it has been thought best to publish them entire.—EDITOR QUARTERLY.]

Philadelphia June 24. 1798

Sir

It was some time since I have understood that there are large herds of horses in a wild state in the country West of the Mississippi and have been desirous of obtaining details of their history in that state. Mr. (?) Brown, Senator from Kentucky, informs me it would be in your power to give interesting information on this subject, and encourages me to ask it. the circumstances of the old-world have, beyond the records of history, been such as admitted not that animal to exist in a state of nature. the condition of America is rapidly advancing to the same. the present then is probably the only moment in the age of the world and the herds above mentioned the only subjects, of which we can avail ourselves to obtain what has never yet been recorded and never can be again in all probability. I will add that your information is the sole reliance, as far as I can at present see, for obtaining this desideratum. you will render to natural history a very acceptable service therefore, if you will enable our Philosophical-society to add so interesting a chapter to the history of the animal. I need not specify to you the particular facts asked for, as your knowledge of the animal in his domesticated, as well as his wild state, will naturally have led your attention to those particulars in the manners, habits, & laws of his existence, which are peculiar

to his wild state. I wish you not to be anxious about the form of your information. the exactness of the substance alone is material: and if, after giving in a first letter all the facts you at present possess, you could be so good, on subsequent occasions, as to furnish such others in addition as you may acquire from time to time, your communication will always be thankfully received. If addressed to me at Monticello & put into any post office of Kentucky or Tennessee, they will reach me speedily & safely, and will be considered as obligations on Sir

Your most obedt. &

humble servt

Th: Jefferson

Mr Nolan

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New Orleans 12 february 1799

Sir

You will pardon the Liberty I take in addressing you when I inform you that your Letter of the 24th. June of last year directed to Mr Philip Nolan (with whom for many years I have been connected in the strictest Friendship) has in his absence come into my possession. That extraordinary and enterprising Man is now and has been for some years past employed in the Countries bordering on the Kingdom of New Mexico either in catching or purchasing Horses, and looked for on the Banks of the Mississippi at the fall of the Waters with a thousand Head which he will in all probability drive into the U. S. Having directions from him to peruse all Letters addressed to him previous to their being forwarded that in case of accident, no expression contained in them should awaken the jealousy of the suspicious people among whom he has by a coincidence of fortunate circumstances introduced himself, I have by this Means acquired a knowledge of the object of your researches, & shall feel particular pleasure in affording my mite of assistance to forward your Letter in safety to him. You judge right in supposing him to be the only person capable of fulfilling you Views as no Person possessed of his talents has ever visited that Country to unite information with projects of utility. Shortly after his return, but not before on acct. of the impossibility of applying himself during his travels with that attention he could wish to the subject, I will be re-

sponsible for his giving you every information he has collected, and and it will require all the good Opinion you may have been led to entertain of his veracity not to have your Belief staggered with the accounts you will receive of the numbers, & habits of the Horses of that Country and the people who live in that Neighborhood whose Customs & ideas are as different from ours as those of the Hordes of Grand Tartary. Did it not interfere with your other occupations I would presume to request you would point out particular subjects on which my Friend should enlarge, as some which would be probably very interesting to you, might be overlooked or seem too trivial to him to notice from having come so often under his observation. In this case your Letters addressed to the care of Mr Tench Coxe of Philadelphia to be forwarded to me will shortly get to Nolan's hands, and I take the Liberty of referring you to Mr Coxe for a knowledge of my Character, that you may not be under any apprehension concerning the Person to whom you write. Mr. Ellicott the Commissioner on the part of the U. S. for running the line, of demarcation with Spain being now Visitor in my House and having at his arrival in this Country been acquainted with Nolan who gave him considerable information on the subject in Question, I have hinted to him your Wish of acquiring some Knowledge, and he will doubtless think himself happy in contributing as far as lies in his power to this End until Nolan himself can have an Opportunity of giving you perfect Satisfaction. In the mean time I must suggest to you the necessity of keeping to yourself for the present all the information that may be forwarded to you as the slightest Hint would point out the Channel from whence it flowed and might probably be attended with the most fatal consequences to a man, who will at all times have it in his Power to render important Services to the U. S., and whom Nature seems to have formed for Enterprizes of which the rest of Mankind are incapable.

Should any accident happen which would deprive the World of this extraordinary Character, his Papers which are confided to me & a mutual Friend now in the Spanish Service, shall be carefully examined, and every thing relating to that Country shall be forwarded to you with such other remarks as both of us from our own Knowledge & information have acquired.

The desire I have that you should be possess'd of every informa-



tion and the certainty that the Philosopher & Politician will excuse the freedom of the Persons interesting themselves in procuring such as may be useful embolden me to mention Mr William Dunbar a Citizen of Natchez in the Mississippi territory as a person worthy of being consulted by you on subjects relating to this Country its productions, or any philosophical Questions connected with them. He was for some time employed by the Spanish Government as their Astronomer on the Line of demarcation, but has retired to his Estate, and for Science, Probity, & general information is the first Character in this part of the World. His long residence in this Country still but little known to men of letters, its Situation with respect to many Savage tribes, some of which lately inhabited the very Place where he resides & where their Vestiges are still perceptible, the extensive Communication with remote parts presented by the Mississippi and concourse of Indians and traders, have given him many Opportunities of making Observations which may not have presented themselves to others & may not probably occur in future, to these may be added those he has made on the Country itself, its population manners Customs of the Inhabitants, the different Changes in their Government for the last 40 Years, the Climate, soil & Trade which are but little known abroad and they will I hope appear so important to a person whose reputation is so great as yours as to procure me your Indulgence for the Liberty I have taken.

I have the Honor to remain with Sentiments of the greatest respect & Esteem Sir

Your most obedient

& most humble Servant

Daniel Clark Junr

[Tho]s. Jefferson Esqr.

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New Orleans 12 November 1799

Sir

I have had the pleasure of receiving the Letter you wrote me in June last, and of delivering that which was inclosed for Mr Dunbar who thinks himself honor'd by your application to him. Whilst at his House we had the satisfaction of seeing Mr Philip Nolan arrive from New Mexico, he has brought with him 1000

b-q

head of Horses and by a singular favor of Providence has escaped the snares which were laid for him—Gayoso the late Governor of the Province of Louisiana, a few months before his Death wrote to the Governor of Texas the Province confining on this to the Westward to arrest Nolan on his return as a Person who from the Knowledge he had acquired of the interior parts of New Mexico, might one day be of injury to the Spanish Monarchy, the thing would have been effected according to his Wish & Nolan might probably have been confined for life on mere suspicion, but fortunately the Governor of Texas died a few days before the letter reached San Antonio the Capital of his Government—The person exercising the Office of Governor pro. tem. knowing that another had been appointed by the Vice Roy refrained from opening the letters directed to the late Governor, and during this interval Nolan who was unconscious of the machinations of his Enemies passed thro' the Province, was treated as usual with the utmost attention, and only learned the Circumstance from me a few days ago when preparing to go to the Frontier of Texas to bring in a small drove of Horses which he had still remaining there. The certainty that the blind yet suspicious people would never believe that he could correspond with a Person in your high Station on any subject unconnected with Politics induced me to request you would give nothing to the World which could be traced to him, for any Communication, how innocent so ever in itself would be suspected & in case of discovery would have been fatal—He has no longer any thing to fear on this Head and he proposes shortly forwarding you the information you require—In company with him is a Person a perfect master of the Language of signs of which Mr Dunbar has made mention in his Letter to you. I have proposed to Nolan to send him on to the U-S. that you might have an opportunity of learning from him many curious particulars respecting his Country, and have offered to defray his Expenses till his return here and make him beside a compensation for his time—if he can be induced to undertake the Voyage I shall take the Liberty of giving a Line to you that you may know the Man. As the manners Customs, situation of the Country Strength, Population &c are altogether unknown to the People of the U-S. you will not I hope take the liberty amiss, and the

novelty will probably compensate the trouble of acquiring the information— Should any particulars respecting this Country strike you on which I could procure intelligence I would spare no trouble in getting it, and when connected with subjects with which I may be unacquainted, my connections here are such that I flatter myself I could obtain it by applying to those who have had better Opportunities & more leisure than myself to attend to the pursuits of Science. In your Letter to Nolan I think you hinted that Horses are found no where in a wild state but in America, I some time ago by accident stumbled on a Work entitled *Voyages aux Peuples Lamoeides* in which mention is made of some found Wild in Siberia or in Tartary, they are represented as small, exceedingly fleet, & hard to catch living on the borders of the Settlements & of great injury to the Inhabitants by the destruction of their Crops. I paid no attention to the thing at that time but if the Book falls again in my Way I shall forward it to you, as it may contain other particulars on the same subject which I do not recollect, the title may however be sufficient for you to procure it— As this Country produces excellent Oranges, I have presumed to send to the care of Mr Daniel W Coxe of Philadelphia a barrel hand picked & well put to be delivered to you and a Box of Paccan Nuts, these last are not I understand common in the Atlantic Parts of the U-S. tho' they grow every where on the Banks of the Mississippi from the Illinois River to the Sea, generally in the low grounds and even in Places occasionally overflowed by the annual rise of the Waters, the Tree grows to the usual size of Forest Trees and affords a delightful Shade in Summer, it might be worth while to cultivate it in Virginia for use & ornament. I propose to send you shortly by way of Baltimore if no Opportunity offers direct for Virginia a Bag of a superior kind which I am promised by a Friend and will occasionally take the liberty of sending you any thing which I may suppose either rare or curious with you that I can procure here

I remain with Respect

Sir

Your most obedient

& most humble Servant

Daniel Clark Junr

Thos. Jefferson Esqr.

Head Quarters on the Mississippi  
Fort Adams May 22D. 1800

Sir

I have been obliged by a letter from you, with reference to two Italian Busts, which you expect to receive by way of New Orleans, and being on the eve of my departure hence for that City, in my route to the Atlantic States, (probably to land at the City of Washington) I embrace present occasion to make this acknowledgement, and to offer you my assurances of attention, to the Commission with which you have been pleased to Honor me—

In the Bearer of this Letter—Mr. P. Nolan, you will behold the Mexican traveller, a specimen of whose discoveries, I had the Honor to submit to you in the Winter 1797, Mr. N——s subsequent excursions have been more extensive, & his observations more accurate, He feels pride in offering Himself to your investigation, and I am persuaded you will find pleasure, in his details of a Country, the Soil, clime, population, improvements & productions of which are so little known to us.

An acquaintance of many Years, from his Early Youth, authorizes me to vouch for Mr. N——s high sense of probity— dare I Sir, I would recommend Him to your kindness, & acknowledge myself obliged, by any Courtesy you may offer to Him— With profound respect & attachment, I have the Honor to be Sir

Your Mo. Obedt. Servant

Ja Wilkinson

Thos Jefferson Esqr.

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Natchez 22d August 1801

Dear Sir

I have delayed untill the present moment acknowledging the honor of your letter of the 12th Jan. last, from a Conviction of the impropriety of all trivial intrusion upon your time, always precious, but now dedicated to duties of the highest importance. However anxious I may be to express a due sense of your condescension, I shall ever guard myself against so impardonable an error. I shall therefore confine my Communications solely to such objects as you have been pleased to introduce into our Correspondence and such matters as have naturally sprung from them.

By the present occasion I have the honor of transmitting you

a monthly recapitulation of meteorological observations for the year 1800; to which I have subjoined remarks calculated to convey some idea of the nature of our climate.— I have also attended to a hint dropt in one of your letters respecting the Mississippi, by preparing a short account of that river, but my Copist having fallen sick, I am obliged to defer transmitting it untill next post.

I have some time since received notices of fossil bones discovered to the west of the Mississippi, and lately an intelligent French Gentleman, Commandant of the Opelousas, informs me, that at three different places of that Country, bones have been found which are supposed to resemble those of the big-bone-lick near the Ohio, and at another place he is well assured that in digging a well, a set of human teeth (*la denture d'un homme*) had been found at the depth of 30 or 35 feet. I have recommended to that Gentleman to set on foot a diligent investigation of those objects and if practicable to transmit me specimens of the bones, particularly a jawbone with its included teeth as little mutilated as possible. Shou'd I prove so fortunate as to acquire the possession of any object worthy the attention of the Society, I shall take an early opportunity of presenting it. Mr Nolan has formerly given me some intimation of fossil bones of great magnitude being found in various parts of new Mexico, but we have lately been cut off from our usual communication with that Country by the imprudence of Mr. Nolan who persisted in hunting wild horses without a regular permission; the consequence of which has been, that a party being sent against him, he was the only man of his company who was killed by a random shot.— I am much concerned for the loss of this man. Altho' his excentricities were many and great, yet he was not destitute of romantic principles of honor united to the highest personal courage, with energy of mind not sufficiently cultivated by education, but which under the guidance of a little more prudence might have conducted him to enterprises of the first magnitude. We hope the usual intercourse will be renewed, and I shall endeavour to prosecute our researches into the western Continent.

I have received some imperfect account from Mr. Nolan and his man who instructed us in the signs, of an uncommon Animal having been seen by the Natives in a considerable lake in a sequestered situation in New Mexico. It is compared when somewhat elevated

in the water, to the upper part of the body of a Spaniard with his broad brimmed hat, & that it is often hear'd to breathe or blow heavily. The Indians who are often Superstitious express a dislike or abhorrence of the place, seldom going near it, and assert that the departed Spirits of the first Spaniards who conquered their Country dwell in the lake. Mr. Nolan informed me that he was once very near that lake, but knew nothing of it untill some time after, when he was told the above circumstances. Whether we are to suppose this a fable invented by the Indians—or that there really exists an Animal, perhaps the hippopotamus or a non-descript, will remain the discovery of a future time.

In my last I gave you an extract from an old book in my possession, containing Dor. Hooks scheme of a telegraph in the year 1684, wondering that the invention of their Countryman had not been claimed by the English, but I now find I have been anticipated in that communication by a paper in the 1st vol. of the *Philosophical Magazine* p. 312 London.

Your observation of the Lunar rain-bow is entirely new to me, but I have often observed a *Phænomenon* which seems to have been overlooked by Philosophers; it is slightly noticed in Brydone's tour through Sicily and Malta Vol. 1. p. 356 2d Edit. London. This Curious and beautiful phenomenon may be seen every fine summer evening in this and perhaps in all other countries, where serenity is united to a Cloudless sky. It is caused by the prismatic effect of the atmosphere upon the Sun's departing rays. Soon after sun-set a belt of a yellowish orange Color is seen to extend itself along the eastern horizon, this belt ascends in the same proportion as the sun ascends, being about one degree in breadth; in contact with the first appears a second belt below, of a dark blue color & about the same breadth as the first, both belts being tollerably well defined and of an uniform Color throughout: when the double belt has risen a little above the horizon, the azure sky may be seen below, and as they continue to ascend the belts become fainter, untill at length the prismatic rays meeting with no vapors sufficiently dense to reflect their colors, the whole phenomenon dissolves into pale celestial light; the belts disappear at about 6 or 7° of latitude. This phenomenon merits some attention; it exhibits as upon a skreen that species of light, which after a greater angular

dispersion, arriving at the moon's orbit, faintly illumines her disk during the time of a total eclipse.

It would seem to result from the above appearances, that if a prism were formed of atmospheric air, the solar ray wou'd be separated thereby into two colors only, a yellow orange and a blue: it is known to Opticians that the Compound Color of orange and yellow and the color which Newton Calls indigo, comprise within themselves the seven primitive colors, that is, united they ought to form White. we ought not therefore to reject this effect of atmospheric air, because dissimilar to the prismatic powers of such diaphonous bodies as are best known to us: modern experiments have shewn that refracting bodies possess very different dispersive powers; and when we reflect upon the heterogeneous nature of our atmosphere, composed of at least three permanently elastic fluids, with the adventitious mixture of perhaps a hundred others, subject from chemical affinity to perpetual resolution and composition, dissolving at all times a great proportion of aqueous fluid, and the whole pervaded by the electric fluid; shall we then presume to doubt that Nature has it in her power to compose a refracting body, whose dispersive powers are equal with respect to the red, orange, yellow & green making rays, and tho' greater with regard to the three remaining primitive colors yet perfectly equal among themselves.

I have the honor to be with the highest respect and Consideration

Your most humble and  
most Obedient Servant  
William Dunbar

## NOTES AND FRAGMENTS.

SOME FANNIN CORRESPONDENCE.—The interesting letter below has just been presented to the State Library by ex-Governor F. R. Lubbock.<sup>1</sup> The latter part of it, dealing with Fannin's personal history, has been printed by Governor Lubbock in his *Six Decades in Texas*.

Velasco. Rio Brasos. Prov. Texas

27th August 1835

Major Belton

U S A

Mobile Point

My Dear Major—Allow me to recall to your mind our short, but to me, pleasant acquaintance— When I saw you, but for a few moments last winter in Mobile, we had some conversation in regard to this interesting country, when it was suggested by me that we should probably require aid from our friends in the U. States, & particularly from a few of the experienced officers. To this you made no direct reply as to yourself—nor indeed did I then expect to *need it so soon*, or I should then have pressed you farther on the subject.

The time is near at hand—nay has arrived, when we have to look around us and prepare, with our limited resources, for *fight*.

I am well satisfied that you have not been an idle spectator of what has been passing in the Interior states of this Republic, and of course, it would be superfluous for me to go into a detail of all the grievances the people of Texas have suffered, until forbearance is no longer a virtue; and we now have the dread alternatives presented to us, "of a tame submission to the subversion of our Constitutional rights and acquiescence to Military rule, or like men (& free born *white men too*) fight to the knife."

<sup>1</sup> March 23, 1904.

The "Fannin" letter that I have the pleasure of placing in the Library came to me thus, Mr. Deffenbaugh, for many years the Secretary of the Texas Veterans' Association, held it. After his death his executor, finding the letter with his papers, gave it me, to be disposed of as I might deem proper. I now beg leave to place it in the State Library.

F. R. LUBBOCK.



It is scarcely necessary for me to say which horn of the dilemma, will be laid hold of, and with what pertinacity that hold will be maintained. We have no men to spare, but each man is a host. Our *preparation* is now poor but hope soon that it will be bettered. There are but few Muskets and only some 6 or 8 pieces of artillery, & few ball &c but 1000 fathom of chain cable; and at least 4000 Rifles. If you can get a Map, you will see that we are *well fortified* to the west—there being a distance of some 200 miles of a perfect barren desert, & *only six watering holes* in the whole route— They now have but one armed vessel (Montezuma) and she mounting one Pivot gun— We are threatened with a descent by water and land of 10,000 troops—and there has already arrived at Bexar (formerly San Antonio) some 1500 or 2000 men & 20 pieces of Artillery— The water party cannot, & we are credibly informed, will not sail to co-operate with them before Novr via Galveston Bay &c. To meet this imposing force, we are now preparing—having organized the National Guards into *Companies*; and sent orders to the U States for arms & munitions; and united in the call of a Convention of the people on the 15th October next. That Convention will *Declare us Independent*, for the reason that we cannot go for the old wreck of a Republic, that having been subverted, & *Centralism* substituted in its stead & acquiesced in by the other States—*Letters of marque* will be issued (applications are already rec'd from old & *gallant officers*) and we will have afloat a sufficient naval force to guard our coast and cripple their trade from the Campeachy banks to N. Orleans— The land party will, thus closed in, be an easy prey.

Thus, my dear Major, have I given you an outline of our affairs & those of the enemy. And now comes the main object of this communication, to wit, Will you authorize me to *use your name* at the approaching convention, or at any subsequent time, as an *officer qualified & willing to command* as brave a set of *backwoodsmen* as ever were led to battle?

The truth is, we are more deficient in suitable materials for *officers*, than we are in soldiers—and all being Americans, will be willing— nay, anxious,—to receive an officer of reputation. I hope to hear from you by the vessel which will return soon—and or [*sic*] any other time you may be pleased write me, & make

such suggestions as you may think advantageous—which will be *confidential* or otherwise, agreeable to your request. “When the hurly burly is *begun*” we will be glad to see as many West Point boys as can be spared—many of whom are known to me, & by whom *I am known as J. W. Walker*—my maternal Grand-father’s name, & by whom I was raised and adopted, & whose name I then bore.<sup>1</sup>

By handing your letters to Messrs. Dobson & Williams of Mobile, or forwd to N. Orleans to care of T. Toby & brother, I will receive them regularly— My last voyage from the Island of Cuba (*with 152*) succeeded admirably.

Yr friend &c

J. W. Fannin Jr

The letter was folded and addressed:

“Major — Belton

“U. S. A.

“Commandant Mobile Point—

“Mobile, Alabama

“Care Dobson & Williams.”

On the back of it is this inscription:

“Messrs. Dobson & Williams will please fore’d this without delay and oblige their friend &c

“J. W. Fannin Jr

“Velasco. Prov. Texas.”

Major Belton replied without delay, and on November 6 Fan-

‘In reply to an inquiry, Judge Raines received the following information concerning Fannin’s record at West Point:

Library United States Military Academy,  
West Point, New York, March 1, 1904.

To C. W. Raines, Esquire,  
State Librarian, Austin, Texas.

My dear Sir:

. . . With respect to James F. Walker, the records show him as being admitted to the Academy, at the age of 14 years 6 months, in 1819, and he was a cadet in the fourth class during the years 1819-1820 and 1820-1821.

I am, sir,

Very respectfully and truly yours,

EDWARD S. HOLDEN,  
Librarian.

(Signed by stenographer in absence of writer.)

nin recommended him to the attention of the Consultation in the following letter:<sup>1</sup>

Head Quarters of the Army of Texas,  
2 miles above Bexar, 6th Nov. 1835.

To the Prst. of the Convention of Texas,  
San Felipe

My dear Sir

I herewith inclose for the use of your body a letter from my friend Col. F. S. Belton of the United States Artillery, and now in command of Ft Morgan Mobile point Ala.

It is only necessary for me to say, that I addressed him on the subject of our approaching difficulties in August last, giving him all the information we then had, with regard to all points necessary to form a correct knowledge of our own and enemies situation and resources. In conclusion I asked of him permission to use his name in our proposed military organization, by the convention, knowing him to be one of the most intelligent and accomplished officers of the United States Army, and believing that his services would be acceptable to our fellow-citizens of Texas in the field, as well as by the moral influence it would produce, in the United States of the North. You will see that he does not decline the nomination and, I am satisfied if tendered him by your body, he would accept, at least no harm can result to our service by it, and much good may, and the safe and profitable course should now be taken, when the choice is before us.

You will see that he tenders his services to inspect and forward military arms & stores for our use, and I can vouch for his honesty and honor with my life and fortune. . . .

In haste, I am my dear Sir

Your obt Sevt

J. W. Fannin Jr.

The original of Major Belton's letter cannot be found, but there is a copy in the archives of Texas, recorded in volume III, pp. 37-38. It reads as follows:

<sup>1</sup>Archives of Texas, D file 6, No. 559.

Fort Morgan Ala.  
Sept. 23, 1835.

My dear colonel,

I hasten to give you an early acknowledgement of yours dated 27. August 1835.

It discusses matters of great moment, in many points of view, but principally as respects the probabilities of success, and the means for effecting it in the struggle which now seems imminent. I am much indebted and gratified for the generous opinions you have formed of my qualifications for the emergency, and to give efficient aid to your noble enterprise.

To be a successful chief requires at least many advantages, which I have not, and would necessarily be slow in acquiring: Some of them are truly obstacles: but zeal and affection for the cause might make head against them, but there are many men among you, whose local information would tell better than mere technical knowledge. You do not say that you have as yet a combined organization, in effecting this, good assistance is necessary to make head against St. Anna's forces, very good cavalry and fair artillery are necessary, particularly light batteries; these two arms requires sturdy chiefs, and the latter, all quackery apart, some little science and instruction. *Riflemen* too, if they can be brought to steady duty, but it may prove a risque, too late to remedy, to rely, in a country of pampas and *prairie* on a force whose best movements depend on the most finished Drill we have, and the point *perdu* of which is the difficulty of &c, assembling them, and bringing them into close action—I mean practically—it has been thus in all times—the principles of war, as you know, are unchangeable, as those of any science called fixed,— If your convention act coolly and with discrimination there must be found men, who have everything in jeopardy, and a right above all right most sacred when acquired, the right of self or representative Government, among these, you must find those on whom to build hope and command Success, two important elements, passion and principle are thus combined.

I have just consulted an indifferent map— San Antonio seems to be a short way from you, but the country you describe as difficult. The Dictator has at leisure all the resources of the Government, and will at first press you hard, I fear, an early and

energetic use of maritime means, may check him in his communications, which being forced to be over land must prove difficult. He has however well chosen his time, but he despotism of these Dictators is rarely permanent. To join you, however, for which I confess a great inclination is to me a step of great importance, a furlo' for some time and permission to leave the U. States is clogged with forms and difficulties, and a considerable delay would occur: to discard as nothing domestic reasons & duties, being assiduously engaged with education of an only son for West Point or a profession, a resignation too from our service on entering yours would be necessary, and indeed would follow as a matter of course, and many military responsibilities not easily shaken off, or settled up are pending.

To your convention among many other obvious duties [it belongs] to organize a constitutional and administrative government, suited to your enfranchised State. A successful resistance brings with it an immediate necessity for authority, Laws & order, without which mere military success does not radiate beyond the field of Battle, skillfull and faithful financial chiefs are only next to military men in such contests, and there is no lack in the adversary of these high qualities, saving political virtue and honor, have your previous works on *convention*, attained maturity and strength? are laws based upon conventional proceedings? in *wholesome respect* and vigor.

Pray write me and more fully on the points so slightly adverted to between us. I write hastily to meet a chance opportunity via New Orleans and address to Messrs Toby & Brothers,

With great respect & esteem

Truly Yours

Francis S. Belton

P. S. I can be at New Orleans six or 8 days every month, while I am stationed [here] and if I can be of use in selecting or inspecting arms &c or military stores, I will attend to it with pleasure, so my actual expenses only being paid. I fear that like Carolina much trash might be put on you,  
in haste

F. S. B.

Colo. J. W. Fannin Jr.

Velasco Texas.

Fannin's letter to the President of the consultation was upon its receipt referred with the above inclosure to a select committee, of which D. C. Barrett was chairman. On November 13, the committee declared that they felt bound to report to the house "the grateful emotions induced by the disinterested offer of Major Francis F. [sic] Belton, of the United States Army, to become inspector of cannon, arms, and other military stores to be purchased at New Orleans and Mobile, for the use of Texas; and recommend that his services be accepted, and a vote of thanks be passed and recorded upon the journals of this house and that a copy thereof be forwarded by the president to Major Belton; at the same time informing him of the appointment of Capt. E. Hall, an experienced officer, who is now engaged in performing the same duties, upon a similar offer, who will be reunited with him."<sup>1</sup>

The consultation adjourned the following day without acting on this report, and the general council, which succeeded the consultation, seems never to have taken the matter up.

The following letter is interesting as showing Fannin's plan for securing the organization of the army largely under the command of West Point officers:<sup>2</sup>

To Gov. Smith

. . . I have had tendered to me, for the service of Texas, several of the finest, most intelligent accomplished young officers, now in the U. States Army; all of who, say, that whenever the people of Texas, should organize a Govt. upon such a basis, as to secure to them an honorable employment, with a reasonable prospect of reward, for the noble daring any many sacrifices of of a soldier's life, they would quit the land of their birth & forthwith enter into the ranks of their brethren in Texas.

Could you ask of these young men to resign the bright prospect before them, in a land of Law, Liberty, & the smiles of beauty (ever dear to a soldiers heart) & march fowd. without the slightest assurance of any acknowledgement of their merit?

<sup>1</sup>*Journal of the Consultation*, 40.

<sup>2</sup>Archives of Texas, D file 6, No. 555.

Remember their *Education*, and that to *join you*, they must *first Resign*, their Commissions in the U. S. army.

The first, nearly disqualifies, at least for some time for any other service, & having forfeited all rank in one Govt. entirely settled, they thus may be thrown into another altogether uncertain in its stability; and their reward a cold reception & untimely grave; or what would be esteemed much worse, by a brave & honorable soldier, the *neglect* of merit. Let me call to your consideration the especial qualifications of these young men! They are all Civil, Military and Topl. [topographical] Engineers. In war you need them to project your fortifications on the Coast and elsewhere; and to work *artillery efficiently*. In peace, they may survey your Harbours, Coast, Rail ways, Rivers, & Canals. In short you wish them and must have them to organize & direct your army, and protect your coast, and place your country in that attitude, that it will [be] dangerous to invade it.

The Agent selected by you & furnished with the requisite blank commissions and other instructions, can in a few weeks, have a Brigade thus officered (at least from the rank of Captain to that of Coln.) *recruited as Emigrants* in the U. States, by *the several officers themselves*, and ready to take the field, whenever the enemy invades our Territory

Might I not say, that so far as *dollars* and *cents* are concerned, that a great saving may be made by this policy, by *offensive operations*, and thus cripple the enemy by carrying the war into their own country, and make them pay the cost, & save our own fire-sides of the scourge. I do not pretend to the gift of Prophecy, but little doubt the fulfilment of the last suggestion, if suitable & timely preparation be made to repel the first onset. . . .

J. W. Fannin, Jr

San Felipe 31 [sic], Novr 1835.

Nothing came of this suggestion, but if the war had been prolonged and a more vigorous, stable government could have been established, it is possible that it might have been fruitful.

EUGENE C. BARKER.

## THE BATTLE OF VEJASCO.—

1832

Texas, Austins Colony Aug. 5

My Dear son,

Altho I get no letters from you, yet I feel willing still to write on, hoping that it is not through negligence, in you, but that they have miscaried, and that you will still continue to write, and that I may get some of them— All the family is in good health, and have been so for a good while, your aunt and family is all well, except her little grand daughter mary she has been sick for 2 or 3 weeks with chills and fevers the neighborhood is healthy.—

I suppose you have seen in the publick prints something of our commotions, and no doubt have felt anxious for us, a few weeks ago the clouds of war hung thick over us, but now they are all disperced, and more glorious times approaching than ever have been seen in this dark country,— our commotions in this colony arose from Col. Bradburn having taken 4 or 5 Americans, of the district in which he lived, and put them in confinement, the Al-caldy of the sd. district, went to him and demanded them wishing to have them tryed by the civil law authority, he refused but at length agreed that the Ayantiemanto might try them, which they did, and set them at liberty, a short time afterward, Bradburn had them again in confinement this irritated the people of this colony, and a good many of them volunteered and went down to Bradburn and demanded the prisoners, he required time to deliberate, which they granted, he it is said sent off for help, and then refused, after forfeiting his honor, our men sent on for all the cannon that was in this colony, which they got and put on board of a vessel, at Brassora [Brazoria], but the colonel that commanded at the mouth of the Brassos, would not let them pass, they then attacked the fort, and after a fight of 8 hours the fort surrendered, having fired 90 rounds of artillery, and 4000, Musket shots, our vessel discharged 116 rounds of cannon, I have not learnt how many rifle balls, but such bold malitia I never have heard of before, they stood in the open Prarie, and fought without covert, and even marched up in 32 paces of the mouth of the cannon and shot down the Spaniards as fast as they approached to fire, it is said there was 150 in the fort, and 190 of our men they killed six of our men and we killed



34 of them and wounded I think about 40— about that time Col. Padrea [Piedras] who commands at Nacogdoches, went to our army on the trinity, and treated with them, and went down to Bradburn and arrested him, and delivered all the prisoners to them, which they passed over to civil power, the men having thus obtain'd their object return'd home peaceably, first shewing the Millitary that the constitution should be adhered to and the civil power rule— Soon after this Col. Austin who was in the interior, came on with a col. in Santanas service and declared for Santana, and was Joined by the whole colony, they sent on expresses to the different garrisons, who all readily consented to Join them, Austin say as soon as the legislature meets the State will declare in favor of Santana I do not suppose that we shall have any more fighting here, it is now past a doubt that Santana will gain his point, General Terán has kill'd himself, and I have understood nearly all his army that was not kill'd have Joined Santana, who now holds all the ports of entry, and commands all the revenew, he has men and money plenty while the other side is destitute of money and their men continually deserting them and Joining St. Santana is said to be a true republican, and is determined not to lay down his arms until republicanism prevails he has declar'd in favor of free tolleration, and free emigration, which are two things very desirable in this country, and so soon as that takes place, our country will begin to flourish we shall then have the right kind of people to settle our rich prairies, and bottom lands, those of us that have ventured and have sufered much, will then be repaid for all our toils and troubles— Some parts of this colony has suffered much for rain, other parts have been quite seasonable, and crops good, we have had but one good shower since the 18th of M[arch or May—the MS. is torn] and yet our corn remains green, and we w[ill] make prety smart corn — As I am about to close I must say something about our fine Mexican Alexander Randle, he is perhaps the hearties and likelies boy we have ever had, and uncommonly handsome, very forward— Susana often talks about you and gives many a kiss for Bro. Wm— She is a very fine little girl, all the children talks a great deal about you and want you to come and see them— it is now nearly dark, and having Just written a long letter to Bro. Mc-

Donald I am tired and will conclude— Give my love to my old friends— Your Aff. Father.

Alexr Thomson.

The letter is addressed,

“Mr Wm D. Thomson  
“Giles County  
“Tennessee  
“Cornerville P. O.”

The above letter was furnished by Mr. E. K. Thomson, of Glen Cove, Texas. It was written by his great grandfather to his grandfather.

EUGENE C. BARKER.

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THE ALAMO MONUMENT.—In an article under the above caption published in THE QUARTERLY for April, 1903, the author, in speaking of the inscription, “Thermopylae had her messenger of defeat; the Alamo had none,” quotes Captain R. M. Potter as saying, “Where he [the sculptor] got it, I know not. The expression occurred in some public address of the day; but I can not say whether the orator borrowed from the monument, or the reverse.”

At the meeting of the Texas Veterans' Association, held in the city of Waco on the 20th and 21st of April, 1894, Dr. R. C. Burleson, in his address of welcome, quoted the immortal sentence as having been first uttered by General Edward Burleson in an address to the Texans assembled at Gonzales when the news of the fall of the Alamo reached that place. To use Dr. Burleson's own language, “He made them a speech, in plain, rough English, that fired every soldier's heart. In conclusion he used, for the first time, these immortal words: ‘Thermopylae had her messenger of defeat; the Alamo had none. So let it be with every Texan. If Texas goes down in this unequal struggle, let no soldier ever cross the Sabine as a messenger of our defeat.’”

Dr. Burleson may have left some data to show where he obtained this important bit of history. The writer recalls a remark made by her father, Colonel Noah Smithwick, in commenting on Dr. Burleson's address to the effect that the words used by General

Burleson were suggested by another person, better versed in the classics than the speaker. Who this person was, Colonel Smithwick could not, at the moment, recall. It could, however, scarcely have been—as Gen. Hugh McLeod is said to have stated—Gen. Thomas Jefferson Green; for the Gonzales episode antedated General Green's advent into Texas by something like a month.

It is matter for regret that the subject, not seeming at the time important, was not again recurred to, since, at another time, the elusive name might readily have presented itself, and the authorship of the expression might have been established. Dr. Burleson, Colonel Smithwick, and perhaps all those who might have thrown light on the subject, are gone, and the truth may never be known.

NANNA SMITHWICK DONALDSON.

## BOOK REVIEWS AND NOTICES.

*Reconstruction Documents.* West Virginia University has issued two reprints entitled respectively *The Constitution and the Ritual of the Knights of the White Camelia*, and *The Revised and Amended Prescript of the Ku Klux Klan*, edited by Prof. Walter L. Fleming. These documents are the first of a series to be issued monthly, illustrating the peculiar conditions, social political, and economic that prevailed in the Southern States during Reconstruction.

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*The American Historical Review* for April (Vol. IX., No. 3) opens with an account of the annual meeting of the Association in New Orleans, December 29-31. Five articles follow: *Jean Ribaut and Queen Elizabeth*, by Woodbury Lowery; *Frederick the Great and the American Revolution*, by Paul Leland Haworth; *Wilkinson and the Beginning of the Spanish Conspiracy*, by William R. Shepherd; *Compromises of the Constitution*, by Max Farrand; and *The World Aspects of the Louisiana Purchase*, by William M. Sloane. The last two were read at the New Orleans meeting. The Documents printed are: The Interment of William Lovelace, New York, 1671; A Letter of Benjamin Franklin, 1775; William Jackson on Conditions in France, 1794; A Letter of General James Wilkinson, 1806; and A Letter of Admiral Farragut, 1853.

AFFAIRS OF THE ASSOCIATION.

The annual meeting of the Association will be held at the University of Texas, Main Building, Room 44, at 4 p. m., Monday, June 6, 1904.

At a meeting of the Executive Council held at the University on April 20th, the following amendments to the constitution were recommended, and they will be voted on at the annual meeting:

Amend Article III, section c, by changing "fifty" to *thirty*.

Amend Article V, paragraph 2, so as to read: Each Fellow, on being elected, shall pay into the treasury of the Association the sum of five dollars as an initiation fee. The annual dues of Fellows shall be the same as those of members.

At a meeting of the Fellows held at the same place immediately after the adjournment of the Council, Mr. Robert Carlton Clark of Amarillo, Texas, and Mr. Ernest William Winkler of Austin, Texas, were elected Fellows. Mr. Clark's election is based on his articles, "Louis Juchereau de Saint-Denis and the Re-establishment of the Texas Missions" (*THE QUARTERLY*, VI, 1), and "The Beginnings of Texas" (*Ibid.*, V, 3); while that of Mr. Winkler is based on his article, "The Cherokee Indians in Texas" (*ibid.*, VII, 2).



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